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ABSTRACT

This document presents findings of a review of the Mississippi Department of Education's internal management and operations and oversight of district and student performance, conducted by the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER). Methodology included document analysis, interviews with state Department of Education personnel, analysis of student achievement data, and focus group meetings with local school teachers and administrators. Following an executive summary and an introduction, information is provided on the following: the background of the state Department of Education (DOE) and the state Board of Education, statewide evaluation and planning, spending priorities and control, school and district evaluation, structural problems, and recommendations for each area. The review found flaws in Mississippi's education funding law and in the department's administration of some aspects of the funding program. Shortcomings were also noted on the part of the state Board of Education and the DOE that limit their accountability in each major program area. Certain features of the public school finance program prevent the state legislature from effectively targeting funds toward the regular, special, and vocational education program areas. Other inadequacies included deficiencies in the DOE's budgeting system, a lack of measurable goals for student performance, and several major structural problems. Thirty-three exhibits, a glossary, and an executive summary are provided. Appendixes include budgetary data, procedures for using the vocational program rating system, description of Mississippi's literacy programs, and proposed state legislation regarding vocational education. (LMI)

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Report To
The Mississippi Legislature

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A REVIEW OF THE STATE DEPARTMENT OF EDUCATION'S INTERNAL MANAGEMENT AND ITS OVERSIGHT OF DISTRICT AND STUDENT PERFORMANCE

VOLUME I

February 19, 1992

- **The State Department of Education spends 44% of the state general fund and oversees public education, which accounts for 25% of all general expenditures of state and local government in Mississippi.**
- **The State Board of Education is moving toward "de-regulation" of districts and reductions in testing, even though 10% of students tested cannot master reading, math, and writing and 37% fall below minimum performance levels in at least one of these subjects.**
- **Low accreditation standards, excessive technical jargon, and the use of district averages make it difficult for parents to hold school officials accountable.**
- **Only 14 of the department's 754 employees work in the division that provides curriculum support to regular classroom teachers; 525 work in other programs and 215 work at the Schools for the Deaf and Blind.**
- **The Associate Superintendent of Vocational-Technical Education has not been accountable to either the Board or State Superintendent of Education since 1986.**
- **Vocational-technical education received $10 million more in general funds in FY 1989 through FY 1991 than needed to maintain federal funding, including a $1.8 million deficit appropriation in FY 1991.**
- **The Minimum Program law requires excessive paperwork, is less precise than systems used in 42 other states, and permits "double-counting" of certain special education and vocational-technical students.**
- **The board's five-year plan is not comprehensive, lacks measurable outcomes, and has not been used effectively to guide departmental budgeting and services to school districts. The department does not have effective internal audit and program evaluation systems.**

EA025210

The PEER Committee

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The Mississippi Legislature created the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee) by statute in 1973. A standing joint committee, the PEER Committee is composed of five members of the House of Representatives appointed by the Speaker and five members of the Senate appointed by the Lieutenant Governor. Appointments are made for four-year terms with one Senator and one Representative appointed from each of the U. S. Congressional Districts. Committee officers are elected by the membership with officers alternating annually between the two houses. All Committee actions by statute require a majority vote of three Representatives and three Senators voting in the affirmative.

An extension of the Mississippi Legislature's constitutional prerogative to conduct examinations and investigations, PEER is authorized by law to review any entity, including contractors supported in whole or in part by public funds, and to address any issues which may require legislative action. PEER has statutory access to all state and local records and has subpoena power to compel testimony or the production of documents.

As an integral part of the Legislature, PEER provides a variety of services, including program evaluations, economy and efficiency reviews, financial audits, limited scope evaluations, fiscal notes, special investigations, briefings to individual legislators, testimony, and other governmental research and assistance. The Committee identifies inefficiency or ineffectiveness or a failure to accomplish legislative objectives, and makes recommendations for redefinition, redirection, redistribution and/or restructuring of Mississippi government. As directed by and subject to the prior approval of the PEER Committee, the Committee's professional staff executes audit and evaluation projects obtaining information and developing options for consideration by the Committee. The PEER Committee releases reports to the Legislature, Governor, Lieutenant Governor, and agency examined.

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A REVIEW OF THE STATE DEPARTMENT OF EDUCATION'S INTERNAL MANAGEMENT AND ITS OVERSIGHT OF DISTRICT AND STUDENT PERFORMANCE

VOLUME I

February 19, 1992

The PEER Committee

Mississippi Legislature

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February 19, 1992

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At its meeting of February 19, 1992, the PEER Committee authorized release of the report entitled **A Review of the State Department of Education's Internal Management and Its Oversight of District and Student Performance**.

Bill Canon

Senator Bill Canon, Chairman

This report does not recommend increased funding or additional staff.

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A REVIEW OF THE STATE DEPARTMENT OF EDUCATION'S INTERNAL MANAGEMENT AND OPERATIONS AND OVERSIGHT OF DISTRICT AND STUDENT PERFORMANCE

EXECUTIVE SUMMARY

February 17, 1992

INTRODUCTION

In response to questions raised by a legislative committee relative to the effectiveness and efficiency of program delivery and management operations within the State Department of Education, PEER began a review of the department designed to:

- provide general background information on the SDE;
- assess SDE's effectiveness in planning, implementing and evaluating its stated educational goals and objectives;
- review SDE's performance-based school accreditation system;
- assess SDE's system of measuring student performance in general, special education, and vocational education programs and,
- review SDE's administration of selected aspects of the state's school finance program.

Due to legislative interest, PEER also reviewed adult literacy education programs in the state and their relationship to the Department of Education. [Subsequent to PEER's review, the Governor closed the Office for Literacy on January 31, 1992.]

Overview

The Department of Education annually spends approximately 44% of the state's total general fund budget ($865 million in state general funds in FY 1991). Including special funds, the Department's total FY 1991 expenditure was $1.15 billion. At the state and local levels, Mississippi annually spends approximately $1.6 billion on the system of kindergarten through twelfth grade education for which the Board of Education and the department have oversight responsibility. This amount represents approximately one-fourth of all expenditures (approximately $6.3 billion) made by Mississippi's state and local governmental entities.

The State Board of Education, working through the State Department of Education, has a difficult and vitally important responsibility for overseeing both the expenditure of these funds and the quality of the education and support services they are used to provide. In doing so, the Board must often balance pressures exerted from several directions. The public's outcry for improved quality, the districts' call for greater autonomy, and the current resource crisis in the state as a whole make management and operation of the department a difficult and demanding task. It is within this framework of conflicting demands that the PEER Committee provides this report on the performance of the State Department of Education.

PEER found flaws in Mississippi's education funding law and in the department's administration of some aspects of the funding program. PEER also noted shortcomings on the part of the state Board of Education and the Department of Education that limit their accountability in each major program area.

In the regular academic program, more than one-third of Mississippi's school children tested in spring 1991 failed to demonstrate mastery of minimum basic skills in at least one of the three basic skill areas tested (reading, math and writing), based on the 80% standard for mastery established by the Commission on School Accreditation. Even though test data show performance problems across subject areas and grade levels, the Board of Education's five-year plan does not establish specific, measurable goals for improvement in student and program performance. The existing procedure for planning improvements and for accomplishing goals is not preceded by detailed analysis of and dialogue concerning system strengths and weaknesses. PEER noted deficiencies in the department's budgeting system and in its procedures for ensuring that staff resources are directed toward accomplishing the student achievement goals and other goals set forth in its strategic plan.

Moreover, the board's attempts to communicate with the state's 27,000 teachers are too dependent on local districts' internal communication procedures to ensure that the teachers responsible for carrying out the state plan are aware of the Board's intentions and are actively working toward their accomplishment.

Certain features of the state's public school finance program, which was established by law in 1953 as the Minimum Program, prevent the Legislature from effectively targeting funds toward the regular, special and vocational education program areas. The existing funding system bases state funding for local districts on average daily attendance, which requires a great deal of paperwork on the part of local and state personnel. Also, the system bases funding on teacher units instead of pupil units, a more precise measure that is used by most other states. The overlap in counting some students receiving services from two or more programs (regular education plus special and/or vocational education) that is implicitly permitted by the Minimum Program law further limits the Legislature's capacity to target resources precisely based upon need, as driven by the time students spend in each type of instructional program.

In addition to problems related to the Minimum Program law itself, PEER found that the State Department of Education has not been fully accountable in carrying out its administrative responsibilities regarding the special education and vocational education provisions of Minimum Program. The department makes funding decisions without adequately auditing student counts that districts use to justify programs and funding. Also, even though the state has an inadequate supply of fully certified special education teachers, the department has not exerted sufficient control over the state's rapid growth in the number of students eligible for special education services and in the number of special education teacher units needed to serve these students.

In the area of vocational education, the department has no valid, consistent benchmarks for determining which programs should continue to receive state funds. Also, because the department used the costlier of two available methods to compute maintenance of state effort requirements under the federal Carl Perkins Act, the Legislature appropriated a total of $10 million more to vocational education in FY 1990 and 1991 than the department needed to retain eligibility for current levels of federal funding.

In reviewing student performance and the department's reporting and use of statewide testing data, PEER found that current SDE performance reports provide little support to the public in assessing the quality of education offered by a particular school or district. Test performance standards established by the Board of Education for school district accreditation purposes are too low, permitting fully accredited districts to operate schools with significant proportions of students failing to meet minimum standards. Moreover, the Board of Education currently is moving toward "deregulation"—the release of some districts from virtually all components of state oversight. Decisions concerning deregulation would be made on the basis of extremely limited information regarding a district's performance. Also, the existing system of district and school evaluation is not sufficient for teachers and administrators seeking to improve their schools, because the system does not provide information on the reasons for academic performance problems.

During the course of its review PEER noted several major structural problems regarding the department and its responsibilities. First, because of an automatic repealer on the law designating the Board of Education as the vocational education authority, Mississippi has had no policymaking or oversight authority for vocational and technical education since 1986. Also, the department's statutory control over community and junior college vocational funding is incompatible with the Legislature's intent that the community and junior colleges "be the presumptive deliverers of public post-secondary training." PEER also found that centralization of literacy policymaking by the department has been impeded by action taken by other agencies and by inaction on the part of the Board of Education.

SYSTEMWIDE EVALUATION AND PLANNING

While the Board of Education superficially complies with Mississippi law requiring the annual publication of a five-year plan, the Department of Education does not comply with the intent of the law that this plan be a true working plan. Such a plan should be based on broad input, govern program operations, and set forth measurable, outcome-based goals and objectives for maximizing strengths and addressing shortcomings in education at the state and local levels.

State law requires the Board of Education to publish a five-year plan setting forth objectives for system performance, and then to "assure that the budget process, the planning function and the allocation of personnel of the state department of education are commensurate with its educational goals." However, the board's and department's planning process is deficient in the following ways.

- *The board has failed to integrate a plan for accomplishing national education goals into the state's five-year plan.*

Although the state Board of Education adopted President Bush's national goals for education improvement soon after their publication in 1989, to date the board has not integrated the initiatives necessary to accomplish these goals into its own strategic plan. As a result, department staff and local district personnel operate under two major statements of board direction (the current five-year plan as well as the national education goals) with no guidance as to how the two relate.

- *The board's planning process lacks an effective feedback mechanism to provide the board and SDE management with essential information to improve current programs and to serve as a basis for developing new initiatives.*

Although the final section of the board's five-year plan includes a series of nine "indicators," the department has not analyzed performance on these or other measures or based the state plan on any such analysis. The plan's "methods of improvement" section is not coordinated with specific actions the department intends to take to make the improvements, and departmental administrators were not consulted concerning the objectives or actions related to their program areas. In fact, the board's/department's planning process does not involve the individuals who will be responsible for implementation of the resulting plan and policies—the department's program personnel and district and local personnel.

The department does not take full advantage of its extensive database on students, teachers, schools, and districts in identifying systemic strengths and weakness and for developing and modifying policy initiatives. Finally, department management has not allowed the Office of Research, Policy, Planning and Development to assess the effectiveness of individual programs, which has been the implied responsibility of the office.

- *The Department of Education does not ensure that districts develop true working five-year plans or that they incorporate state goals and objectives into these plans.*

Mississippi's accreditation standards state that it is State Board of Education policy that each district have a "five-year educational plan which serves as the basis of operation." However, this policy does not require the district to link its plan to the state plan, nor does the department take an active role in reviewing the content of district plans to ensure that they are true working plans. This is a serious flaw in the department's planning process, as the success of the state plan hinges on the adoption and implementation of its components by the districts.

- *The State Department of Education's five-year plan includes only limited use of measurable objectives.*

Instead of being based on performance goals and objectives, the SDE plan's only measurable objectives were, by the department's own statement, not to be viewed as objectives in themselves for which any organizational unit should be held accountable. Without clearly stated, measurable goals and objectives, the SDE has no means of evaluating its performance. Further, in the absence of a sound educational indicator system, neither department managers nor the Legislature can achieve a clear understanding of how well the state's educational system functions.

- *The five-year plan does not rank objectives in priority order.*

In its five-year plan, the Board of Education identified several broad areas for educational emphasis, but has never prioritized the state's educational goals and made certain that department funds and staff resources have been concentrated to these identified areas. Since the department currently operates with limited state funds and staff resources, it must focus on areas where student performance and results are most critical and attainable.

- *The Department of Education has assigned less than 5% of its staff to organizational units devoted to improving regular academic instruction, even though its five-year plan is intended to promote "educational improvement."*

The Department of Education's 1991 staff included a total of 753 positions, which includes 215 positions at the Schools for the Deaf and Blind. Although 71% of all department staff, including those 215 positions, are allocated to instruction-related units, in 1991 the department assigned less than 5% of all department staff to organizational units devoted to assisting teachers, districts and universities directly in improving regular academic instruction. Of these, 14 positions were located in the only division that provides curriculum and instructional support to regular classroom teachers.

The Department of Education is charged by law with extensive instructional leadership and service responsibilities, and department personnel work for a board that has embraced ambitious national goals which bear a strong academic orientation. Thus PEER questions the extremely low levels of staffing currently devoted to improving classroom instruction and academic performance.

SPENDING PRIORITIES AND CONTROLS

Budgeting

The Board of Education has not fully complied with statutory mandates on budgeting because it has not based its budgeting on an effective five-year plan and it has not documented and adopted a central budget policy. Also, the Department of Education has not based its budgeting on its actual, functioning programs.

The State Department of Education's current budgeting system provides no assurance that legislative initiatives and board-approved educational objectives will be funded and met.

- *The department does not budget on the basis of the five-year plan.*

The department does not have a written policy setting forth requirements and procedures for central budgeting, and does not require bureaus to tie budget requests to the five-year plan. This lack of control weakens the department's ability to manage successfully and direct work toward accomplishing objectives.

In addition, the department's ability to coordinate budgeting with objectives is complicated by timing problems between the annual production of the five-year plan and the necessary budgeting schedule. For example, the department already had completed fiscal plans for FY 1993 before the board had considered a program plan spanning the period 1991 to 1995.

- *The department has weaknesses in its systems and procedures required in order to base budgeting on the five-year plan.*

The department does not prepare budgets segregated into the true functional programs of the department and thus cannot successfully project budgetary costs to meet objectives of the five-year plan if those costs are not grouped into the department's actual programs and reported to the Legislature in that manner. Thus the Legislature, the board, the public, and department management cannot evaluate the true needs of the agency to match objectives with programs and functions of the department. To correct this problem, the department would have to formally request and receive permission from the Joint Legislative Budget Committee to use a more functionally-based program structure.

The department does not maintain its accounts in a way that permits scrutiny of budgets or expenditures at the division or branch levels. Therefore, responsibility for budgets is not accurately defined for effective management and reporting and the board's control over and accountability for public funds is weakened.

School Finance Programs

Of the three methods for determining the size of the student population, the average daily attendance method, which is the approach used by Mississippi and eleven other states, is the most complex in its record-keeping and reporting requirements.

The state's use of average daily attendance as its formula-based method, which is prescribed by law, entails a high degree of data collection and reporting at the local level. As PEER reported in a 1990 review, Mississippi's ADA auditing system is too limited to ensure valid and equitable distribution of Minimum Program funds. The method places excessive reliance on arbitrary and unscientific pupil head-counting by personnel who, by law, cannot be required to be trained auditors.

Of the two methods for allocating funds (the direct pupil unit method and the teacher unit method), Mississippi uses the less precise teacher unit method.

Forty-two states use pupil units for determining local district fiscal need. These states multiply pupil units by a per-pupil funding amount to arrive at the dollar amount representing district need. However, in establishing the guaranteed amount to be provided to the district through the state foundation program, Mississippi and seven other states first count pupils, then apply a ratio of pupils per teacher to arrive at teacher units.

- *The teacher unit method for determining local need affords less precision in directing funds to districts on the basis of student need than does the direct pupil unit method.*

  Mississippi uses a lower pupil/teacher ratio for the lower grades than for the upper elementary and secondary grades. Weighting teacher unit allocations by applying certain pupil/teacher ratios may ensure smaller class sizes for some groups, but this weighting method does not ensure that the funding formula will be sensitive to the various programs' needs for different levels of support in non-personnel areas, such as equipment and contractual services. Also, Mississippi's practice of counting a single student multiple times in arriving at regular teacher units obscures the actual costs of and resources used in serving the various student populations.

- *The weighted pupil unit method for directing resources to specific student populations has gained wider acceptance among the states in recent years.*

  Possibly as a result of the lack of precision offered by the teacher unit method of allocating resources, more states have used the direct pupil unit method in recent years. Only two states, in addition to Mississippi, use average daily attendance pupil units as a basis for determining teacher units.

Administration of Minimum Program

Mississippi's system of public school finance is sufficiently detailed in its requirements for keeping track of student attendance and using attendance figures to compute regular education teacher units. However, Minimum Program provisions regarding funding for the special education and vocational education programs lack any such detail.

The districts' and the department's practice of fully double counting students receiving services from two programs instead of counting only the percentage of time the student spends in each program has resulted in budget requests which include funding for non-academic and support staff (not intended to be provided by Minimum Program). Overlap in student counting has resulted in the appropriation of special education teacher units in excess of the number that would have been generated were each student only counted for the number of hours which he or she spends in the special education classroom.

However, the fiscal effect of double-counting instead of prorating each student's time in each program does not represent an excess in funding at the local level if one considers ancillary instruction as part of a balanced educational program. The problem is with precision in targeting funds using Minimum Program teacher units, rather than with the amount of funds generated for district use.

The current method for counting vocational, special, and regular education students for purposes of generating teacher units, though permitted by statute, is very imprecise for those students receiving services from more than one of these three major instructional programs. This imprecision results in a distorted picture of teaching resources needed in

each of these instructional programs and results also in a lack of legislative control over the types of teachers and service personnel supported through Minimum Program teacher unit funds.

Local districts employ librarians and counselors, as well as teachers in subject areas such as music and art, that are not part of the basic academic core. However, Minimum Program funding was not originally intended to support these additional teacher units. The fact that the current system does not readily describe total costs or the types of teacher units funded in regular education and in special and vocational education illustrates the lack of precision available to the Legislature under the current system.

- *Under the current system, one student may count as two or more pupil units.*

  Currently, the system counts resourced special education students (those who spend two or more periods, one of which must be academic, per day in the regular education classroom) as if they spend one hundred percent of their time in regular education by including these students as full pupil units in the average daily attendance count. The system includes no allocation procedure to account for their part-time status in the regular education. Similarly, the system considers gifted and vocational students as full-time regular education students, even though they spend only a portion of their day in the regular education classroom. As a result of overlap in counting students, the system provides additional resources beyond the "minimum" number of teacher units prescribed for regular education.

- *The budgetary consequences of the current method of counting students in multiple programs are significant.*

  PEER estimates that during the 1989-90 school year, school districts and the Department of Education double counted a total of 74,800 students receiving services from more than one program by counting them once in regular average daily attendance and again in special or vocational education without prorating the amount of time they spent in each program. Students counted in average daily attendance as well as in another program generated an estimated 2,933 regular education teacher units at a Minimum Program cost of $81.4 million. Because these students received some services from regular education teachers, they legitimately generated a portion of these 2,933 regular education teacher units. However, the department does not collect information on the percent of students' time spent in each program. As a result, it lacks information on what portion of this amount ($81.4 million for 2,933 teacher units) represents the actual cost of providing regular education services to these double-counted students and what portion represents excess regular education funding brought about by the absence of these students from the regular education program for some portion of the day. This excess amount results in districts receiving more than the "minimum" number of regular education teacher units (one teacher unit for every 24 or 27 students in full-time average daily attendance).

- *Districts use teacher unit funding produced by overlap in pupil counting to support non-academic and supplementary staff.*

  Having generated additional teacher units using the overlap process, districts use the leeway provided by another provision of the Minimum Program law to maximize their use of the teacher units they are allocated. That provision permits districts to increase the number of students per teacher beyond the ratios used to generate teacher units (24 students per teacher in grades 1 through 4 and 27 students per teacher in grades 5 through 12). Districts use this leeway, amounting to approximately 7%, to help finance the salaries of non-academic teachers, counselors and librarians.

  The Department of Education's system of counting students receiving services from more than one program results in failure to allocate resources based upon need as driven by time spent by these students in each type of instructional program. However, PEER has not demonstrated through this analysis that districts receive more Minimum Program teacher unit funding than they need. The current system funds positions which many districts could not afford to support with local funds but which are important components of a balanced educational program.

Special Education Pupil Counting

The State Department of Education's method of counting special education students for funding purposes is flawed by imprecision, an absence of valid verification procedures and inadequate control over classification of students as resourced special education students, a category in which double-counting with regular education is permitted.

- *The State Department of Education counts some students more than once toward special education teacher units.*

  In school districts' annual special education count which is reported to the Department of Education for purposes of teacher unit allocations, the department allows the schools to "double count" in the category of language/speech impaired, but does not require districts to report the extent of duplication. The department's failure to collect an unduplicated count of special education pupils as a basis of its teacher unit allocation weakens its control over the number of special education teacher units needed to serve these students.

- *The State Department of Education does not base its teacher unit calculations on actual time spent by students in the special education classroom.*

  The districts' annual special education count does not report how many hours each student is in the special education classroom and the actual workload of the special education teacher. The only time the department ever reviews period-by-period class size is after teacher units have been calculated and allocated to the districts.

- *The State Department of Education bases its teacher unit allocation on a one-time student count, amended for additional students but not for student deletions.*

  Between February 15 (the date of the annual special education count) and October 15 each year, the department allows districts to increase their allocations by amending their counts as justification for additional teacher units. While the number of special education students in a district may decrease over this period, there is no downward adjustment of teacher units.

- *The State Department of Education does not adequately audit the number of special education students which districts report to the department.*

  The department relies on district-generated numbers for special education counts, and performs only a partial records review for each district (not individual schools) once every five years. After receiving count data, the department does not computerize the annual count data or cross-check the data it receives with other sources of special education count data, such as the federally mandated December 1 child count and monthly district attendance reports. No external reviews of the count are performed. [Note: During the course of PEER's review, the department developed a form which it was beginning to use to cross-match data.]

- *The SDE has not adequately controlled the classification of special education students as resourced special education, a category for which SDE and the Minimum Program law permits double-counting with regular education.*

  Although state law excludes "self-contained" special education students from being counted in average daily attendance, the department counts "resourced" special education students and gifted students in average daily attendance. In addition, state law gives department discretion in defining "self-contained," thus significantly affecting the number of students who generate both special and regular education Minimum Program teacher unit funding.

Special Education Funding

The State Department of Education could have more tightly controlled Minimum Program special education teacher unit expenditures during the decade of the 1980s.

During the 1980s, Mississippi's special education teacher units grew at a faster rate than any other category of teacher unit and Mississippi's

disabled student population grew at a rate significantly faster than the national rate. While some of the growth is attributable to factors outside of the Department's control such as federal expansion of the populations which the system must serve and terms of a consent decree referred to as "Mattie T.," which set forth specific criteria and procedures designed to ensure that the state comply with the intent of federal laws regarding special education, some of the growth is attributable to factors within the control of the State Department of Education.

- *States have discretion over criteria which they use to qualify students for special education.*

  Although the federal government mandated effective September 1991 that states expand their coverage to include an additional group of children (three- to five-year-old children with disabilities), the states have some discretion over growth in the size of the disabled student population through the specific criteria they use to determine eligibility. Mississippi's criteria for classifying a child as "specific learning disabled" is very broad, and using more restrictive criteria would reduce the number of teacher units funded to serve this population. Because of the Mattie T. consent decree, changes to Mississippi's special education criteria would be subject to judicial approval.

- *The State Department of Education, with board oversight, has discretion in the development of special education student/teacher ratios.*

  Because there are no federally mandated or state legislated special education student/teacher ratios, the board and department have considerable discretion in determining needed teacher units. The board and department have the authority to change these ratios at will and there is no legal requirement in place for periodic or external review of the ratios.

- *The State Department of Education's process of allocating special education teacher units involves a significant amount of subjective judgement which could result in favoritism in applying the ratios between districts.*

  The department determines the ultimate special education ratios which it applies in each school on a case-by-case basis. The documentation for these decisions consists of handwritten worksheets with numerous calculations that does not leave an audit trail sufficient for replication of the teacher allocation procedure. Such obfuscation of the allocation process could result in favoritism in applying the ratios among districts.

- *Mississippi has high special education teacher/student ratios compared to the southeastern average and to the State Department of Education's stated ratios.*

  Based on comparative national data for the 1988-89 school year, Mississippi's special education classrooms had more teachers per student than the average ratio for the southeast. Had this ratio equalled that of the southeast, Mississippi would have spent an estimated $8 million less on special education teacher units. In comparison to the southeastern average for the same period, Mississippi employed significantly fewer special education teacher aides and a higher ratio of special education administrative personnel.

Vocational Education Funding

Neither the Minimum Program law nor the State Board of Education places sufficient controls on the funding of vocational education teacher units to prevent low-priority vocational programs from receiving state Minimum Program teacher unit funds. As a result, the State Board of Education has permitted local school districts and community colleges to use at least $1.1 million in state funds for low-priority vocational programs in FY 1992. In addition, neither the Board nor the Department can demonstrate that all other local programs receiving state vocational funds meet objective criteria that ensure that only programs of the highest priority receive state vocational funds.

- *There is no student/teacher ratio or any other objective criterion for generating vocational teacher units.*

Unlike regular education and special education teacher unit allocation processes, the funding of local vocational educational programs does not depend on specific student teacher ratios, but on a subjective decision by the Department of Education to initiate or continue a program. The only absolute criterion the department uses in determining program eligibility for funding is that a vocational program must have at least ten students to be eligible to begin receiving state funds.

- *Board and department procedures are ineffective in limiting teacher unit generation for vocational and technical education.*

Although the Office of Vocational Education evaluates programs on a limited basis, the standards for vocational program operations are process measures that cannot be used to determine whether a program is needed or whether it achieves intended outcomes. In addition, although the Office has arbitrarily set the lower 8% of program rankings (based on enrollment, placement, etc.) as the cutoff for termination of programs, it permits minimum enrollment requirements to fluctuate with overall state enrollment trends and involves a three-year delay in terminating unproductive programs. The office collects data which supports closure but does not close programs on a timely basis.

- *The Department of Education violates the Minimum Program law by using existing, non-instructional vocational counselor positions to generate vocational teacher units, thereby increasing the number of vocational teacher units to which districts are entitled.*

Although state law clearly defines teachers covered under Minimum Program as instructional personnel who teach a minimum of three periods per day, the department generates vocational teacher units to fill vocational counselor positions. This practice has cost the state a total of approximately $3.4 million in Minimum Program salary and fringe benefit funds over the past three years (FY 1988 through FY 1991).

- *The Department of Education does not audit performance data it collects for use in deciding whether to continue supporting local vocational education programs.*

Districts provide their own data annually to the Office of Vocational Education on program enrollment, number of students completing programs, and placement. The only review of these figures is a cursory verification of data for two or three students per district at five-year intervals.

- *The Board of Education's inadequate controls over teacher unit generation have resulted in extremely low enrollment in some local programs, as well as generally high per-student expenditures.*

As a result of the absence of absolute criteria for funding vocational education teacher units, in 1989-90 the department routinely funded teacher units for programs with only fifteen to twenty students per teacher over an entire daily schedule. Vocational teacher units have declined by only 2% over the past four years in spite of a 19% drop in secondary vocational education enrollment. Whereas high school students enrolled in regular academic courses in Mississippi received teacher salary support at an average rate of $1,035 per full-time equivalent student in FY 1991, trade and technical educational students received vocational teacher salary support at an average rate of $2,303 per full-time equivalent student.

Administration of Vocational Education Appropriation

During fiscal years 1989 through 1991, SDE received $10 million in state vocational education funds in excess of the amount required to qualify for federal vocational education funds under the Carl Perkins Act. This $10 million excess includes a $1.8 million FY 1991 deficit appropriation during a fiscal year when the department's appropriation already exceeded the amount needed to qualify for federal funds by $3 million.

- *Between FY 1988 and FY 1991, the Department of Education did not include all state-appropriated vocational education expenditures in calculating maintenance of effort.*

In calculating annual state expenditure levels needed to meet federal maintenance of effort requirements, the U. S. Department of Education requires states to include all state funds specifically appropriated for and spent on vocational education. Mississippi's Office of Vocational Education has historically included only one of its four sources of vocational education funding in its calculations, a source which represented only 66% of total state appropriated funds for vocational education in FY 1991. The effect of this practice combined with the method the Office of Vocational Education chooses to use in calculating maintenance of effort (see below), is that the state could have appropriated $10 million less to vocational education in FY 1989 through FY 1991 and still have received the same level of federal vocational education funds.

- *Between FY 1989 and FY 1991, the State Department of Education did not use the method of calculating maintenance of effort which would result in the lower state appropriation.*

Under federal guidelines, a state has a choice of two methods in calculating its maintenance of effort for qualifying for grant funds. The amount of each state's federal grant does not depend on the amount of the state's appropriation of funds for vocational education, but on other factors such as the number of students participating in the free lunch program, receiving Pell grants, etc. Despite the declining vocational education enrollment in Mississippi during fiscal years 1988 through 1991, the Office of Vocational Education chose the method of calculation which would result in a higher level of state expenditure on vocational education than was required to receive federal vocational funds under the Carl Perkins act. Had the Office of Vocational Education used the lower cost method for each year during this period, the state could have appropriated a total of $10 million less to vocational education and still have received the same level of federal vocational education funds.

SCHOOL AND DISTRICT EVALUATION

Statewide Testing Program

The State Department of Education sets and applies performance standards and reports on performance data in a manner that obscures the actual performance of individual schools.

Reporting of Performance Data

- *The State Department of Education's analysis and use of student performance data is limited. Current SDE performance reports provide little support to the public in attempts to assess the quality of education of a particular school or school district and to hold districts accountable for improving the quality of education in the state.*

Although the academic performance in some Mississippi schools is extremely low and merits attention, the Department of Education does not release academic performance data in a form that allows the public to identify those programs readily and insist on remedial action. Also, the department does not routinely present a detailed analysis of student performance strengths and weaknesses to the Board of Education for use in establishing long-range policy. Although the Department of Education defines excellence relative to the performance of schools in the Mississippi system, the components of the system must ultimately stand the test of an external standard of excellence if students are to be nationally competitive.

- *State reporting of student performance on the Basic Skills Assessment Program and the Functional Literacy Examination is invalid for the performance concepts that underlie these criterion-referenced tests.*

The statewide testing program has two basic components: criterion-referenced tests and norm-referenced tests. Tests such as the Stanford Achievement Test are norm-referenced; that is, the performance of the national norm group is used to define the expected range of performance of students on the test. Comparisons among students and student groups can be made using measures of central tendency and variance that provide a uniform way of describing relative performance. Tests such as the Basic Skills Assessment Program (BSAP) are criterion-referenced; that is, these tests are composed of items that accurately represent the specific subject or content area one wishes to measure. The standard for criterion-referenced tests is *mastery* of the content area being tested.

In its annual report on the statewide testing program, the Department of Education provides an analysis of BSAP and Functional Literacy Examination (FLE) results as though they were norm-referenced tests. This method of reporting is misleading, because reporting of criterion-referenced test results in such a manner shows typical performance that is distorted by the fact that the majority of students will achieve mastery on the test.

Accreditation of School Districts and Criterion-Referenced Testing

- *Performance levels established by the Board of Education for accreditation purposes are too low, permitting fully accredited districts to operate schools with significant numbers of students failing to meet the long-term minimum standards for basic skills or to perform at the expected grade equivalency level on normed tests.*

The Board of Education's current performance standards for accreditation of school districts do not contain a requirement that each student meet a predetermined mastery level on its criterion-referenced tests. Rather, the mastery requirement for the student body as a whole "floats" from year to year based on the average performance of students statewide. Because of this, fully accredited districts are being allowed to operate inadequate schools. For example, in academic year 1990-91, 8% of schools in Level Three accredited districts had more than 10% of their students failing to meet an 80% mastery level in all three content areas at grade 3. By grade 5 the percentage of schools in accredited districts with more than 10% of their students failing all three content areas had risen to 46%. In grades 8 and 11, 55% of the schools in accredited districts had more than 10% of their students failing to meet an 80% mastery level in all three skill areas. Schools in districts meeting Board of Education standards for accreditation Levels 4 and 5 ("Distinguished Achievement") do not uniformly demonstrate high levels of student achievement.

Student Performance and Criterion-Referenced Testing

While the Board of Education's average of 80% correct as a performance criterion for accreditation represents mastery at the district level, it says nothing about the required mastery level for individual students. Requiring the performance level of a student body to *average* 80% correct tells the public nothing about the performance level required for individual students to reach mastery on basic skills tests.

However, for basis of a comparison, PEER accepted the 80% correct standard as a mastery criterion and applied it to individual students for the three content areas (reading, math, and writing) to observe proportions of students that would achieve mastery.

- *By restricting its BSAP and FLE reporting to group means, the Department of Education obscures serious, systemwide performance problems.*

PEER found performance problems in mastering basic skills across content areas and levels:

- 37% of all grade 3, 5, 8, and 11 students tested fell below the minimum performance standard (80%) in at least one basic skill area.
- 10% of all grade 3, 5, 8, and 11 students tested fell below the minimum performance standard (80%) in all three basic skill areas.
- In certain circumstances, students may claim mastery on a subtest of the Functional Literacy Examination with as little as 60% of the items correctly answered.

- *The proportion of students maintaining acceptable levels of performance on basic skills tests shows a marked decline from grade three to grade eight.*

A decline in performance at higher grade levels, especially in reading, is seen even though the number of students tested at each grade level drops. The decrease in the number of students tested suggests that some of the less proficient students may be leaving the system, and one would expect this loss of students to be reflected in a higher proportion of the remaining students meeting the minimum performance standards, but that is not the case. Loss of students is accompanied by increased success only once in the testing cycle—before the Functional Literacy Examination is given in the eleventh grade.

- *Contrary to conventional wisdom, a large socioeconomically disadvantaged student population in a school is not necessarily associated with a large proportion of students failing to meet minimum basic skills standards.*

PEER found that there were just as many socioeconomically disadvantaged schools with low percentages of students failing to meet minimum basic skill standards as there were with high percentages failing to meet the standards. If disadvantaged students in some schools succeed at rates equal to students in more affluent schools, there is no reason to have different expectations regarding mastery of basic skills for schools with differences in socioeconomic composition.

Student Performance and Norm-Referenced Testing

PEER also analyzed data available for the norm-referenced Stanford Achievement Test to determine the percent of schools in Level Three accredited districts with more than the expected proportion of students performing at more than two years below grade level. Some districts whose performance on nationally normed tests is considered adequate by Mississippi accreditation standards have large numbers of students scoring below grade level. For example, some districts which meet minimum state performance standards have high percentages of eighth-graders performing at least two years below grade level in reading and math.

School Accreditation

Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

- *Mississippi law affords the State Board of Education sufficient authority to develop a performance-based accreditation system that includes all of the key elements needed to ensure full accountability on the part of local school districts.*

The 1982 Education Reform Act required the Board of Education, acting through the Commission on School Accreditation, to establish and implement a performance-based accreditation system no later than July 1, 1986. This act also established a statewide testing program. The statutes require specific outcome goals and objectives, assessment tools, and rewards and sanctions as part of Mississippi's accountability system. In addition, state law requires that districts take corrective action if they fail to meet standards.

- *In developing the legally mandated system of accountability, the Accreditation Commission, the Board of Education, and the Department of Education have complied with the letter of the law while consistently avoiding positions that would require fully objective reviews and high levels of achievement on the part of all schools.*

In its attempt to demonstrate sensitivity to the difficult task faced by school districts, the Board of Education, Commission on School Accreditation, and Department of Education have fallen short of establishing high standards and insisting on strict adherence to these standards:

— The Board of Education has not established long-term minimum performance standards that hold all schools accountable for high levels of student performance.

— Instead of strengthening the validity of the accreditation site visit process and the individual teacher certification process, the board has sharply reduced the number of site visits planned for the 1991-92 school year. [Note: The board has taken preliminary action to resume the regular site visit schedule for the 1992-93 school year.]

- — The Department of Education has not ensured that all of its organizational units involved in accreditation monitoring consistently report noncompliance findings to the Accreditation Division for action by the Commission on School Accreditation.
- — The Department of Education has not developed a system for selecting evaluators that would afford full objectivity in the site visit process.
- — The Board of Education has not developed a policy that would restrict the "distinguished achievement district" and "model district" designation to those districts with consistently high levels of performance or high levels of improvement in all schools.
- — The Department of Education, Commission on School Accreditation, and Board of Education have not included student performance criteria for specialized programs, such as Special Education, Vocational Education and Chapter 1 remedial education, in accreditation criteria at any level.
- — As a result of recent Board of Education actions, the board will begin basing certain accreditation decisions almost exclusively on a limited system of outcome measures without developing a valid, comprehensive system for measuring student performance and other system outcomes.

- *The Superintendent and the State Board of Education have discussed their intent to measure higher-order thinking skills and to adopt more authentic measures, but no valid tests of those types currently are in place and there has been no corresponding build-up of testing staff.*

The Board of Education currently uses only one test designed to assess more complex knowledge (written portion of the PSAP). The Department has allocated only four professional positions to its Testing Division, demonstrating a possible failure to recognize the importance of this organizational unit in improving current measures and developing new outcome measures. In addition, the department's FY 1993 budget request does not include a request for developing new tests of higher-order thinking.

A Comprehensive Evaluation System

A comprehensive evaluation system goes well beyond student assessment to review all programs and processes at the school and district levels that affect student performance. Instead of placing blame, local internal evaluation programs should provide insight into alternative solutions for problems and help teachers and administrators assess the effectiveness of these alternative solutions.

Mississippi's state-mandated evaluation system currently is limited to student assessment at state and local levels and process reviews conducted at five-year intervals. These assessments are used for purposes of accountability, but are of limited use to teachers and administrators seeking to improve their schools.

The state's current approach to evaluation in education provides local educators with insufficient information on which to base improvements at the district, school and classroom levels. Also, the Board of Education's move toward deregulating the activities of districts whose students perform well on statewide tests in the long run may inhibit maximum achievement in these districts by focusing on one-time outcome measures instead of on the districts' capacity for continuously improving the process of education.

The Department of Education trains administrators in using test results for school improvement purposes, but many educators told PEER they are not convinced of the usefulness of these measures for identifying and solving the day-to-day problems in schools. Nevertheless, these evaluation measures currently are the only systematic source of evaluative information at the district and school levels. The feedback educators receive from the statewide testing program is limited to which objectives students are or are not mastering. While this information is essential in improving programs, student assessment is not synonymous with evaluation. Such assessment does not reveal factors inhibiting student performance, nor does it help educators determine which alternative solutions are most effective in a given school. Locally-based formative evaluation and school improvement procedures monitored through the department's accreditation process would provide educators with additional tools for achieving student performance gains.

STRUCTURAL PROBLEMS

Vocational and Technical Education

Mississippi has no policymaking/oversight authority for vocational and technical education.

The Board of Education has acted as the policymaking authority for vocational education since the 1982 constitutional amendment permitting the board to assume this responsibility. However, since July 1, 1986, when an automatic repealer on the law designating the board as the vocational educational authority went into effect, Mississippi actually has had no policymaking and oversight authority for vocational and technical education. The issue is further complicated by the relationship set forth in the law which requires the Associate Superintendent for Vocational Education to report directly to the State Board of Vocational Education. This section could allow the Associate Superintendent to bypass the State Superintendent, potentially impairing the Superintendent of Education's capacity of ensure systemwide policy, planning and implementation.

The State Department of Education's statutory control over community and junior college vocational funding is incompatible with the Legislature's intent that the community and junior colleges *"be the presumptive deliverers of public post-secondary training . . . under federal and state vocational and technical acts* (MISS. CODE ANN. Section 37-4-1)."

Although the Legislature removed administration of the community and junior colleges from the authority of the Department of Education and created the State Board for Community and Junior Colleges in 1986, state law still requires the Department of Education to control the distribution of state and federal vocational funds to the community colleges.

In complying with the state's original vocational education legislation, the Department of Education exercises such fiscal and programmatic control over the delivery of postsecondary training that the community colleges cannot assume their role as the "presumptive deliverers" of postsecondary vocational training.

Adult Literacy Education

Centralization of literacy policy-making by the Department of Education has been impeded by the practice of assigning certain federal funding to the Department of Economic and Community Development, by establishment of a literacy policy-making office outside the Department of Education, and by inaction on the part of the Board of Education.

Mississippi's literacy effort is a patchwork of publicly- and privately-funded programs operating under a variety of rules and regulations and serving an assortment of target groups. Although the Department of Education is the only state agency statutorily charged with literacy policymaking responsibilities, major decisionmaking for literacy program is shared by three state agencies. Fragmentation of the program has been exacerbated by the Board of Education's passive reaction to the Office for Literacy's assumption of policymaking responsibilities and exclusion of the Department of Education from representation on the State Job Training Coordinating Council.

RECOMMENDATIONS

The State Department of Education should implement all of the following recommendations with existing resources.

Evaluation and Planning Procedures

- **The State Superintendent of Education should direct the Department of Education's Office of Research, Policy, Planning, and Development to coordinate the development of a system of educational indicators which would provide valid and reliable data for use in making education policy decisions.**
- **The State Board of Education should overhaul the development and implementation of its five-year plan.**

- **The Superintendent of Education should direct the Department of Education's Office of Research, Policy, Planning, and Development to conduct research on broad-based educational policy issues that have major implications for the state's education system.**

- **The State Board of Education should establish an Office of Internal Audit and Evaluation to monitor the degree to which responsible parties meet the objectives specified in the board's five-year plan and the costs of achieving these objectives.**

- **The State Department of Education should ensure that the districts incorporate high-priority state goals and objectives set forth in the board's five-year plan into their local five-year plans.**

- **The State Department of Education should improve its method of communicating with department and district personnel at all levels, particularly to include all classroom teachers.**

- **The proposed Office of Internal Audit and Evaluation of the State Department of Education should use existing resources to perform a comprehensive management study of the department's current organization, staffing, vacancy patterns, and workload in relation to board priorities and legal responsibilities. This plan should result in recommendations for the reallocation of state education resources and should include requests for legislative action where deemed necessary.**

- **The proposed Office of Internal Audit and Evaluation should compile a written report which identifies the functions of the Department of Education contributing to the state system of educational accountability and which discusses how the department's organizational structure, policies, and procedures effectively coordinate its accountability functions.**

Spending Priorities and Controls

The PEER Committee will conduct a full review of the current system for funding grades kindergarten through twelve and will recommend a revised, comprehensive school funding system, or series of system options with associated estimates of the fiscal impact, that would provide greater precision in determining educational needs. PEER will also recommend more extensive legislative discretion and control over the appropriation of state education funds, and enhanced accountability on the part of the department and districts concerning the expenditure of state funds on education. PEER plans to complete this review by the 1994 Legislative Session.

In addition, PEER makes the following recommendations concerning spending priorities and controls:

- **The Board of Education should comply with subsection (f) of MISS. CODE ANN. Section 37-1-3 (1972), which requires it base its budget requests on its five-year plan.**

- **The Board of Education should improve and formalize its central budgeting process to comply with the intent of MISS. CODE ANN. Section 37-1-3.**

- **The Department of Education should redefine its budgetary programs to correspond with the actual functioning programs of the agency and should submit this proposed series of programs to the Joint Legislative Budget Committee for approval.**

- **The Legislature should require the State Department of Education to use the zero-based budgeting approach in the preparation of its budgets, beginning with its FY 1994 budget request.**

- **The State Department of Education should expand its accounting system as necessary to provide for the accumulation of costs by program at *all* organization levels.**

- **The Board of Education should establish an Office of Internal Audit and Evaluation which reports directly to the board and issues copies of its formal written reports to the Governor, Lieutenant Governor, and Speaker of the House of Representatives.**

- The State Department of Education should analyze the fiscal impact which elimination of double counting of students would have on each district's teacher unit allocations. The department should report this information to the Legislature for its consideration in deciding whether and how to amend state law to mandate the counting of all students as full-time equivalents (i.e., to eliminate "double counting") without disrupting the flow of funding at levels needed to continue essential operations.

- The State Department of Education should conduct a detailed review of the number of full-time equivalent teachers funded through Minimum Program who are not engaged in basic, minimum academic instruction, as well as the number of full-time equivalent teachers in each work area by funding source, and should report this information to the Legislature as possible justification for adjusting the regular ADA teacher unit ratios (MISS. CODE ANN. Section 37-19-5 [1972]) and the supportive service allotment set in MISS. CODE ANN. Section 37-19-21 (1972).

- The State Board for Community and Junior Colleges should institute random audits of completion, enrollment and placement data reported by secondary and post-secondary vocational education providers.

- The State Board of Education should base its vocational education Minimum Program teacher unit allocations on vocational education student teacher ratios, which it should establish based on valid studies of optimal class size.

- The State Department of Education should comply with all Board of Education policies regarding vocational education program closure within the time frames specified in the policies.

- In order to comply with MISS. CODE ANN. Section 37-19-1, the State Department of Education should cease using non-instructional vocational counselor positions to generate vocational teacher units.

- Beginning with its FY 1994 budget request, on an annual basis, the state agency receiving Carl Perkins Act funds should select the method of calculating maintenance of effort under the act which results in the lowest cost to the state.

- The State Department of Education should explore strengthening regular education instruction as a method of reducing the number of students placed in special education.

- The State Board of Education should require the Department of Education's Bureau of Special Services to reevaluate current special education student teacher ratios and revamp its procedures for applying these ratios to student counts in arriving at special education Minimum Program teacher unit allocations.

- The State Department of Education should review its criteria for identifying students as disabled and gifted.

- The proposed Office of Internal Audit and Evaluation of the State Board of Education should pursue possible legal violations of enrollment and attendance reporting requirements and should refer problems it finds to the State Auditor and the State Attorney General with the intent of reducing Minimum Program appropriations to compensate for the effects of false reporting of student counts and to pursue civil and criminal actions where justified.

Evaluation

- The State Department of Education should not remove any districts from accreditation oversight requirements.

- The State Department of Education should report performance in relation to external norms and in easily understood formats.

- The State Board of Education and Commission on School Accreditation should include comprehensive process standards and outcome measures in the state's performance-based accreditation system.

- The Commission on School Accreditation should develop and the Board of Education should approve a series of performance-based accreditation standards for special, remedial and vocational education programs.

- The State Board of Education should ensure that its school and district evaluation process consists of formative components (internal measures and feedback for continual improvement) and summative components (external measures for use in ensuring accountability).

- The State Board of Education should continue to develop its external evaluation system by refining statewide testing.

- The State Board of Education should continue to monitor all districts' compliance with legal mandates.

- The State Department of Education's school and district accreditation process should include a quality assurance component.

- The State Board of Education and Department of Education should support the districts through training and other forms of assistance in establishing formative evaluation as the norm.

- The State Department of Education should use formative procedures in departmental evaluations.

Structural Problems

- The Legislature should consider making the State Board for Community and Junior Colleges responsible for post-secondary vocational education and designate that board the single agency with respect to federal vocational education funds. As such this board should handle all of the responsibilities which this function entails, including oversight of secondary vocational education programs. The Legislature also should consider amending the law to make the State Board of Education responsible for secondary vocational education.

- The Legislature should consider amending MISS. CODE ANN. Section 37-31-103 to transfer responsibility for the Industrial Start-up Training Program from the Mississippi Board of Vocational and Technical Education to the State Board for Community and Junior Colleges.

- The Legislature should consider eliminating the State Department of Education's Vocational Education budget (#206) and reallocating this appropriation between the State Department of Education's Minimum Program budget and the State Board for Community and Junior College's budget. [Note: The proposed bill's provision for amending MISS. CODE ANN. Section 37-19-5 to allocate one full Minimum Program teacher unit per vocational education program must be accompanied by elimination of the #206 budget's general fund subsidies, loans and grants appropriation for secondary programs to avoid duplicating vocational teacher funding.]

- The State Board of Education should assume a more active role in establishing literacy policy.

- The State Board of Education should develop policies and procedures to guide Department of Education staff in working cooperatively with other agencies involved in adult literacy service provision.

For More Information or Clarification, Contact:

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A REVIEW OF THE STATE DEPARTMENT OF EDUCATION'S INTERNAL MANAGEMENT AND OPERATIONS AND OVERSIGHT OF DISTRICT AND STUDENT PERFORMANCE

INTRODUCTION

Authority

PEER reviewed the State Department of Education (SDE) in response to questions raised by a legislative committee relative to the effectiveness and efficiency of program delivery and management operations within the department. The Committee acted in accordance with MISS. CODE ANN. Section 5-3-57 (1972).

Scope and Purpose

In response to questions raised by a legislative committee relative to the effectiveness and efficiency of program delivery and management operations within the State Department of Education, PEER sought to:

- provide general background information on the SDE;
- assess SDE's effectiveness in planning, implementing and evaluating its stated educational goals and objectives;
- review SDE's performance-based school accreditation system;
- assess SDE's system of measuring student performance in the state's regular, special education, and vocational education programs and,
- review SDE's administration of selected aspects of the state's school finance program.

Due to legislative interest, PEER also reviewed adult literacy education programs in the state and their relationship to the Department of Education. Subsequent to PEER's review, the Governor closed the Office for Literacy on January 31, 1992. He stated that his office will re-evaluate adult education efforts in Mississippi.

Methodology

In conducting this review, PEER performed the following tasks:

- reviewed applicable state statutes;

- reviewed certain federal guidelines and regulations;
- interviewed personnel and examined records of the State Department of Education;
- analyzed electronic files of 1991 statewide testing data for approximately 266,000 students in grades 3, 4, 5, 6, 8, and 11;
- reviewed articles, reports and other published information related to education research, planning, and management; and,
- conducted a series of focus group meetings with local school teachers and administrators to discuss concerns related to the state's educational delivery system.

Overview

The Department of Education annually spends approximately 44% of the state's total general fund budget ($865 million in state general funds in FY 1991). Including special funds, the department's total FY 1991 expenditure was $1.15 billion. At the state and local levels, Mississippi annually spends approximately $1.6 billion on the system of kindergarten through twelfth grade education for which the Board of Education and the department have oversight responsibility. This amount represents approximately one-fourth of all expenditures (approximately $6.3 billion) made by Mississippi's state and local governmental entities.

The State Board of Education, working through the State Department of Education, has a difficult and vitally important responsibility for overseeing both the expenditure of these funds and the quality of the education and support services they are used to provide. In doing so, the board must often balance pressures exerted from several directions. The public's outcry for improved quality, the districts' call for greater autonomy, and the current resource crisis in the state as a whole make management and operation of the department a difficult and demanding task. It is within this framework of conflicting demands that the PEER Committee provides this report on the performance of the State Department of Education.

PEER found flaws in Mississippi's education funding law and in the department's administration of some aspects of the funding program. PEER also noted shortcomings on the part of the state Board of Education and the Department of Education that limit their accountability in each major program area.

In the regular academic program, more than one-third of Mississippi's school children tested in spring 1991 failed to demonstrate mastery of minimum basic skills in at least one of the three basic skill areas tested (reading, math and writing), based on the 80% standard for mastery established by the Commission on School Accreditation. Even though test data show performance problems across subject areas and grade levels, the Board of Education's five-year plan does not establish specific, measurable goals for improvement in student and program performance. The existing procedure for planning improvements and for accomplishing goals is not preceded by detailed analysis of and dialogue concerning system strengths and weaknesses.

Moreover, the board's attempts to communicate with the state's 27,000 teachers are too dependent on local districts' internal communication procedures to ensure that the teachers responsible for carrying out the state plan are aware of the board's intentions and are actively working toward their accomplishment. PEER noted deficiencies in the department's budgeting system and in its procedures for ensuring that staff resources are directed toward accomplishing the student achievement goals and other goals set forth in its strategic plan.

Certain features of the state's public school finance program, which was established by law in 1953 as the Minimum Program, prevent the Legislature from effectively targeting funds toward the regular, special and vocational education program areas. The existing funding system bases state funding of local districts on average daily attendance, which requires a great deal of paperwork on the part of local and state personnel. Also, the system bases funding on teacher units instead of pupil units, a more precise measure that is used by most other states. The overlap in counting some students receiving services from two or more programs (regular education plus special and/or vocational education) that is implicitly permitted by the Minimum Program law further limits the Legislature's capacity to target resources precisely based upon need, as driven by the time students spend in each type of instructional program.

In addition to problems related to the Minimum Program law itself, PEER found that the State Department of Education has not been fully accountable in carrying out its administrative responsibilities regarding the special education and vocational education provisions of Minimum Program. The department makes funding decisions without adequately auditing student counts that districts use to justify programs and funding. Also, even though the state has an inadequate supply of fully certified special education teachers, the department has not exerted sufficient control over the state's rapid growth in the number of students eligible for special education services and in the number of special education teacher units needed to serve these students.

In the area of vocational education, the department has no valid, consistent benchmarks for determining which programs should continue to receive state funds. Also, because the department used the costlier of two available methods to compute maintenance of state effort requirements under the federal Carl Perkins Act, the Legislature appropriated a total of $10 million more to vocational education in FY 1990 and 1991 than the department needed to retain eligibility for current levels of federal funding.

In reviewing student performance and the department's reporting and use of statewide testing data, PEER found that current SDE performance reports provide little support to the public in assessing the quality of education offered by a particular school or district. Test performance standards established by the Board of Education for school district accreditation purposes are too low, permitting fully accredited districts to operate schools with significant proportions of students failing to meet minimum standards. Moreover, the Board of Education currently is moving toward "deregulation"--the release of some districts from virtually all components of state oversight. Decisions concerning deregulation would be made on the basis of extremely limited information regarding a district's performance. Also, the existing system of district and school evaluation is not sufficient for teachers and administrators seeking to improve their schools, because the system does not provide information on the reasons for academic performance problems.

During the course of its review PEER noted several major structural problems regarding the department and its responsibilities. First, because of an automatic repealer on the law designating the Board of Education as the vocational education authority, Mississippi has had no policymaking or oversight authority for vocational and technical education since 1986. Also, the department's statutory control over community and junior college vocational funding is incompatible with the Legislature's intent that the community and junior colleges "be the presumptive deliverers of public post-secondary training." PEER also found that centralization of literacy policymaking by the department has been impeded by action taken by other agencies and by inaction on the part of the Board of Education.

(Note: The Glossary beginning on page 247 contains definitions of all words noted in italics the first time that they appear in the text of this report.)

BACKGROUND

Authority

The State Department of Education (SDE) is organized and functions under the statutory requirements of Title 37 of the MISSISSIPPI CODE ANNOTATED (1972). The department is managed by a nine-member State Board of Education (hereafter referred to as the board) as established by Section 203 of Article 8 of the MISSISSIPPI CONSTITUTION and codified at MISS. CODE ANN. Section 37-1-1. Exhibit 1, page 6, presents the composition of the State Board of Education. In accordance with Section 202 of Article 8 of the MISSISSIPPI CONSTITUTION and codified at CODE Section 37-3-1, the State Superintendent of Public Education is appointed by the board as the chief administrative officer of the SDE.

The *functions* of the board and SDE are guided by the educational *goals* as established by CODE Section 37-1-2 (see Exhibit 2, page 7) based on Section 201 of Article 8 of the MISSISSIPPI CONSTITUTION, which states:

> *The Legislature shall, by general law, provide for the establishment, maintenance and support of free public schools upon such conditions and limitations as the Legislature may prescribe.*

Organization

SDE's current organization is composed of six major offices. These offices, and their responsibilities, are:

- *Office of External Relations*: Handles public, governmental, and press relations; deals with sex and race equity issues.
- *Office of Research, Planning, Policy and Development*: Maintains five-year plan; pursues new programs; maintains policies of SDE.
- *Management Information Systems*: Provides computer support, including technical, administrative and production services.
- *Office of Administration and Finance*: Provides administrative accounting, budgeting, and personnel services; distributes federal and state financial resources to *school districts*.
- *Office of Programs*: Monitors and supports instructional activities of education (excluding vocational and adult education), including curriculum development, the *accreditation* process, staff development and certification, operation of Schools for the Deaf and Blind.

EXHIBIT 1

COMPOSITION OF STATE BOARD OF EDUCATION

Appointed By	Number	Board Member
Governor	5	One resident of each of the three Supreme Court districts Active full-time school administrator Active full-time school teacher
Lieutenant Governor	2	State-at-large residents
Speaker of the House	2	State-at-large residents

SOURCE: MISS. CODE ANN. Section 37-1-1 (1972).

EXHIBIT 2

STATE EDUCATIONAL POLICIES AND PURPOSES

The legislature finds and determines that the quality of public education and its effect upon the social, cultural and economic enhancement of the people of Mississippi is a matter of public policy, the object of which is the education and performance of its children and youth. The legislature hereby declares the following to be the policy of the State of Mississippi:

(a) That the students, parents, general citizenry, local schoolteachers and administrators, local governments, local school boards, and state government have a joint and shared responsibility for the quality of education delivered through the public education system in the State of Mississippi;

(b) To produce a functionally literate school population;

(c) To ensure that all students master the most essential parts of a basic education;

(d) To establish, raise and maintain educational standards;

(e) To improve the quality of education by strengthening it and elevating its goals;

(f) To provide quality education for all school-age children in the state;

(g) That excellence and high achievement of all students should be the ultimate goal;

(h) To encourage the common efforts of students, parents, teachers, administrators and business and professional leaders for the establishment of specific goals for performance;

(i) To improve instructional and administrative quality, to relate the education community to other policymakers, to achieve increased competency among students, teachers and administrators, to provide for continuing professional development for teachers, counselors and administrators, to assure that the budget process, the planning function and the allocation of personnel of the state department of education are commensurate with its educational goals;

(j) That the return on public education which is the single largest investment for the state be the effectiveness of the delivery system and the product it is designed to produce;

EXHIBIT 2 (continued)

(k) *That the investment in public education can be justified on the basis of the economic benefits that will accrue both to the individual and to society, recognizing that the return on such investment is long term and dramatic progress is not immediate;*

(l) *That emphasis must be placed upon early mastery of the skills necessary to success in school and that quality, performance-based early childhood education programs are an essential element of a comprehensive education system;*

(m) *That local school districts and their public schools be required to account for the product of their efforts;*

(n) *That the children of this state receive a period of instruction sufficient to train each in the basic educational skills adequate for the student to take his or her place in society and make a contribution as a citizen of this state, and that all children be encouraged to continue their education until they have completed high school;*

(o) *To establish an accreditation system based upon measurable elements in school known to be related to instructional effectiveness, to establish a credible process for measuring and rating schools, to establish a method for monitoring continued performance, and to provide for a state response when performance is inadequate;*

(p) *That the teachers of this state, to the extent possible, receive salaries that are at least equal to the average of the salaries received by teachers in the southeastern United States.*

SOURCE: MISS. CODE ANN. Section 37-1-2 (1972)

- *Office of Vocational-Technical and Adult Education*: Monitors and supports instructional and related services for public schools, post-secondary and other entities for vocational, adult education and industrial training.

The offices of External Relations and Research, Planning, Policy and Development report directly to the State Superintendent of Education; other offices report through the Deputy State Superintendent of Education.

Exhibit 3, page 10, presents the department's organizational structure.

History

According to an October 1982 report by State Research Associates entitled *Technical Report-A Report to the Governor on Education*, the historical trends of the state departments of education of the United States reflect the historical trend common to Mississippi. Since the 1800s, when the state departments performed basically statistical functions of gathering information, the departments arrived at a point in the early 1900s of becoming more concerned with the development of school *performance standards*. After 1930, the departments developed into their current primary role as the "leader and technical assistant" to school districts. Since the 1965 passage of the federal Elementary and Secondary Education Act, states are now responsible for the financing and governance of public education, and are responsible for the implementation of federal programs (largely for special needs students).

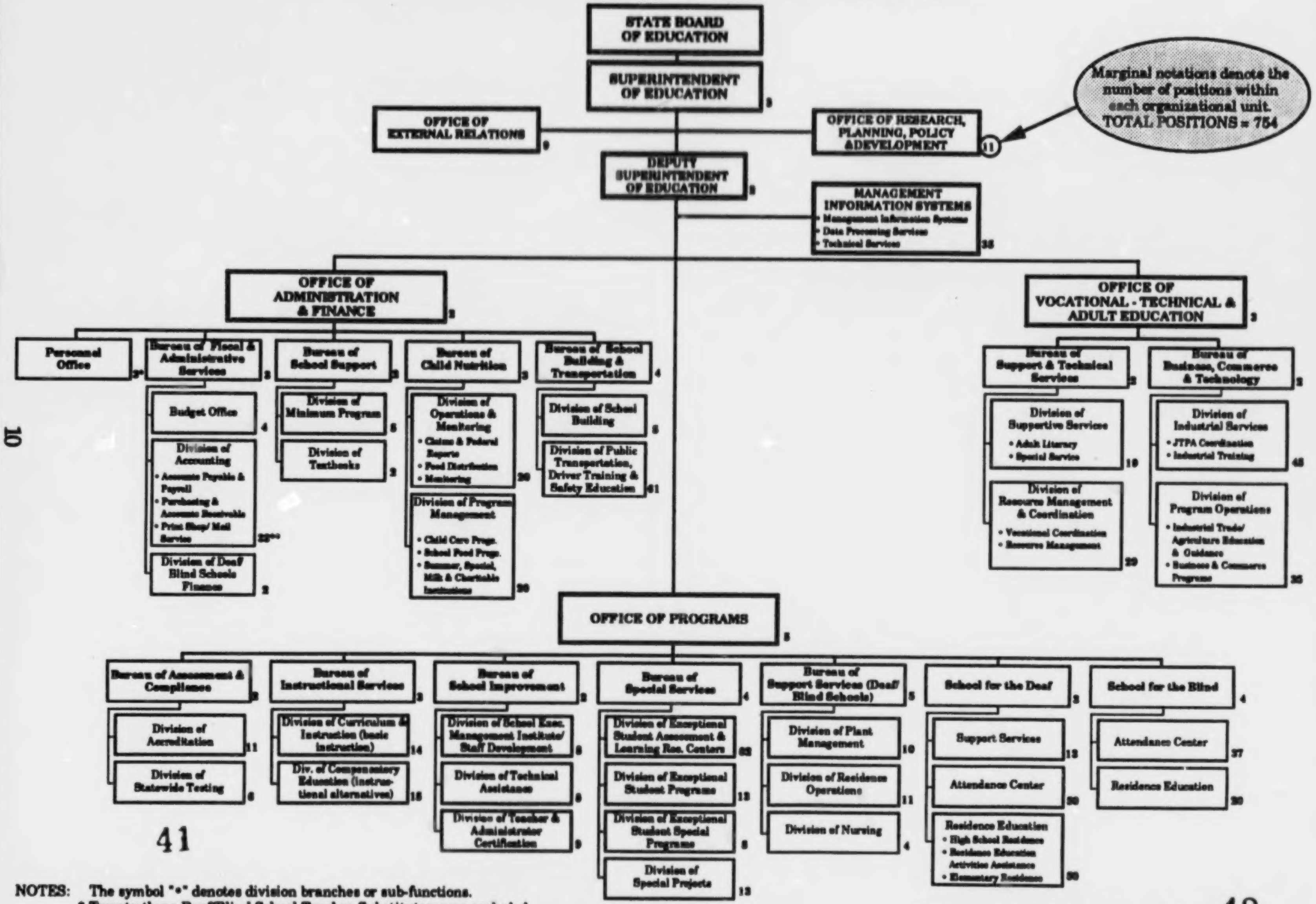
The current statutory policies and purposes (see Exhibit 2, page 7) represent the Legislature's recognition of the importance of education in shaping Mississippi's future. The beliefs behind these policies emphasize the need for leadership and regulation in the state's public education system. They have evolved as the significance of education has been realized and the role of the state in supporting and regulating the activities of local districts has increased. In Mississippi, the two major milestones of the modern era of education are the Minimum Education Program and the Education Reform Act of 1982.

Minimum Education Program

During the 1953 extraordinary session, the Legislature passed an omnibus school reform package which included the Minimum Foundation Program (MFP). The MFP, now known as "Minimum Program," responded to the need for equity in the funding of school districts and to improve the quality of educational opportunities in the state. The combined reform effort focused on the reduction of the number of school districts, which before the legislation numbered 1,417, primarily funded by local

EXHIBIT 3

STATE DEPARTMENT OF EDUCATION ORGANIZATION CHART


STATE BOARD OF EDUCATION
SUPERINTENDENT OF EDUCATION 3
OFFICE OF EXTERNAL RELATIONS 9
OFFICE OF RESEARCH, PLANNING, POLICY &DEVELOPMENT 11
Marginal notations denote the number of positions within each organizational unit. TOTAL POSITIONS = 754
DEPUTY SUPERINTENDENT OF EDUCATION 3
MANAGEMENT INFORMATION SYSTEMS
• Management Information Systems
• Data Processing Services
• Technical Services
38
OFFICE OF ADMINISTRATION & FINANCE 3
Personnel Office 3*
Bureau of Fiscal & Administrative Services 3
Budget Office 4
Division of Accounting
• Accounts Payable & Payroll
• Purchasing & Accounts Receivable
• Print Shop/ Mail Service
22**
Division of Deaf/ Blind Schools Finance 2
Bureau of School Support 3
Division of Minimum Program 5
Division of Textbooks 3
Bureau of Child Nutrition 3
Division of Operations & Monitoring
• Claims & Federal Reports
• Food Distribution
• Monitoring
20
Division of Program Management
• Child Care Progs.
• School Food Progs.
• Summer, Special, Milk & Charitable Institutions
20
Bureau of School Building & Transportation 4
Division of School Building 5
Division of Public Transportation, Driver Training & Safety Education 61
OFFICE OF VOCATIONAL - TECHNICAL & ADULT EDUCATION 3
Bureau of Support & Technical Services 2
Division of Supportive Services
• Adult Literacy
• Special Service
19
Division of Resource Management & Coordination
• Vocational Coordination
• Resource Management
29
Bureau of Business, Commerce & Technology 3
Division of Industrial Services
• JTPA Coordination
• Industrial Training
45
Division of Program Operations
• Industrial Trade/ Agriculture Education & Guidance
• Business & Commerce Programs
35
OFFICE OF PROGRAMS 5
Bureau of Assessment & Compliance 2
Division of Accreditation 11
Division of Statewide Testing 6
Bureau of Instructional Services 3
Division of Curriculum & Instruction (basic instruction) 14
Div. of Compensatory Education (instructional alternatives) 15
Bureau of School Improvement 2
Division of School Exec. Management Institute/ Staff Development 8
Division of Technical Assistance 6
Division of Teacher & Administrator Certification 9
Bureau of Special Services 4
Division of Exceptional Student Assessment & Learning Res. Centers 83
Division of Exceptional Student Programs 13
Division of Exceptional Student Special Programs 8
Division of Special Projects 13
Bureau of Support Services (Deaf/ Blind Schools) 5
Division of Plant Management 10
Division of Residence Operations 11
Division of Nursing 4
School for the Deaf 3
Support Services 13
Attendance Center 80
Residence Education
• High School Residence
• Residence Education Activities Assistance
• Elementary Residence
80
School for the Blind 4
Attendance Center 37
Residence Education 20

NOTES: The symbol "•" denotes division branches or sub-functions.
* Twenty-three Deaf/Blind School Teacher Substitutes were excluded.
** Per SDE, eight of these positions provide fiscal support for the Deaf/ Blind Schools.

SOURCE: [illegible]iled by PEER staff from fiscal year 1991 State Personnel Board organization char[illegible] other SDE information.

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taxes (compared to the current 151 school districts). The basis behind the law was to provide a minimum level of finance for education calculated on the needs of each individual school district net of a minimum local ad valorem tax effort and a portion of severance tax refunds. (See State Public School Finance Programs, page 44.)

MISS. CODE ANN. Section 37-19-1 et al. documents the requirements and calculations of the Minimum Program. The law provides funding to the districts from the state's general fund through what is known as the state common-school fund and the minimum program fund (CODE Section 37-19-39). The state common-school fund, established by the Section 206 of Article 8 of the MISSISSIPPI CONSTITUTION, provides $5 million annually for the support of public education. The total Minimum Program appropriation for FY 1992 is $818,461,137. This funding provides minimum teacher salaries, pupil transportation, administrative expenses and supportive services. Exhibit 4, page 12, summarizes the major provisions of the Minimum Program law.

Education Reform Act of 1982

The Mississippi Education Reform Act of 1982 was enacted by the Legislature during a December 1982 extraordinary session. The act represented an extensive amendment to existing school law. (Exhibit 5, page 13, presents PEER's depiction of a SDE summary of major components of the Education Reform Act and implementation dates.) The act included requirements for performance-based accreditation, the School Executive Management Institute, a commission for teacher and administrator development, and staff development plans. Also, statutes were amended to change the membership of the State Board of Education and its duties; require the appointment of the State Superintendent and set the related duties; and set requirements for compulsory school attendance, early childhood education (kindergarten), reading improvement, statewide testing and *standards* for pupil graduation.

Funding of Public Education

Since the enactment of the Minimum Program and continuing through these major reforms, the funding of public education in the state has dramatically changed. *Funding* is defined as revenue receipts available for educational expenditures. In the last twenty-one years, the state and local governments have assumed more of the financial responsibilities as the ratio of federal funding has declined. Exhibit 6, page 14, demonstrates the ratios and changes related to these sources of funding.

Of the three sources of revenue (federal, state and local), local revenue receipts (a category which excludes proceeds from the sale of

EXHIBIT 4

CURRENT MINIMUM PROGRAM PROVISIONS

- To provide one teacher unit per every twenty-seven pupils in average daily attendance for grades 5-12 and per every twenty-four pupils in average daily attendance for grades Kindergarten-4. To provide additional teacher units (one per teacher) for vocational and special education teachers. (MISS. CODE ANN. 37-19-5) To fund those teacher units utilizing a fixed minimum salary schedule based on the type of teacher's certificate held and the number of years of teaching experience. (MISS. CODE ANN. 37-19-7 and 37-19-17)

- To assist districts in the funding of superintendents' and principals' salaries. (MISS. CODE ANN. 37-19-19)

- To assist districts in the funding of supportive services. (MISS. CODE ANN. 37-19-21)

- To assist districts in the funding of pupil transportation. (MISS. CODE ANN. 37-19-23)

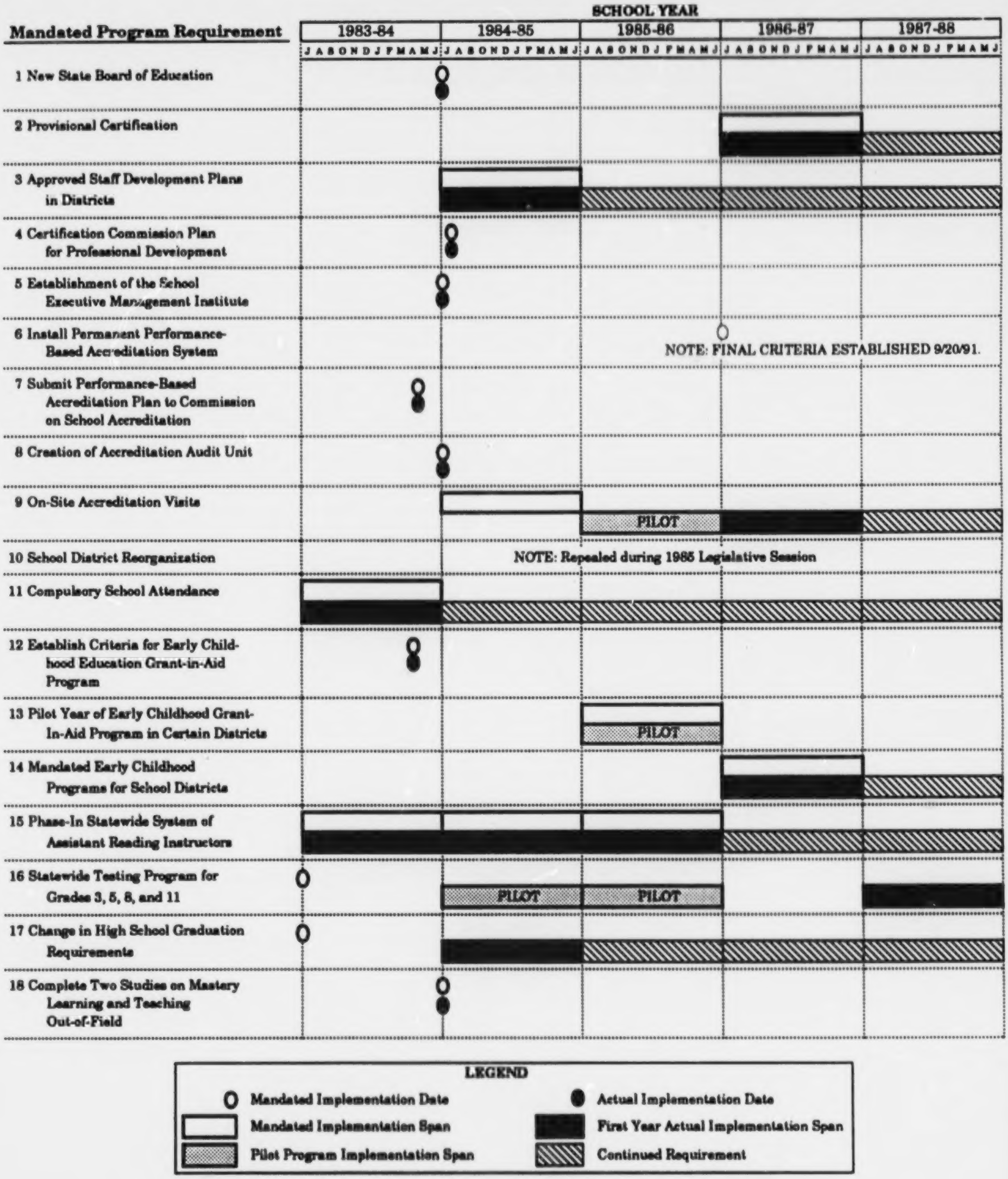
- To assist districts in the funding of administrative expenses. (MISS. CODE ANN. 37-19-31)

- To provide funding for the employer's part of retirement and Social Security of minimum program salaries. (MISS. CODE ANN. 37-19-33)

SOURCE: PEER summary of related statutes.

EXHIBIT 5

IMPLEMENTATION OF EDUCATION REFORM ACT REQUIREMENTS
(For Period June 1983 - August 1988)



NOTE: FINAL CRITERIA ESTABLISHED 9/20/91.

NOTE: Repealed during 1985 Legislative Session

SOURCE: Compiled by PEER staff from information provided by the State Department of Education.

EXHIBIT 6

CHANGES IN THE FUNDING OF PUBLIC EDUCATION FY 1971 TO FY 1991

	FY 1971	% of FY 1971 Total	FY 1991	% of FY 1991 Total	Increase: FY 1971 to FY 1991	% Increase
State	$160,843,687	48%	$885,128,547	53%	$724,284,860	450%
Local	78,356,840	24%	492,926,419	30%	414,569,579	529%
Federal	94,689,302	28%	274,923,974	17%	180,234,672	190%
TOTAL	$333,889,829	100%	$1,652,978,940	100%	$1,319,089,111	395%

SOURCE: Compiled by PEER staff from "Receipts for Public Schools" sections from SDE annual reports (see Appendix A).

bonds, assets, and procurement of debt) have increased by the greatest proportion over the past twenty-one years. Even when taking inflation into account, local funding has increased at a higher rate, as follows:

FY 1979-1991 Change in Public Education Revenue (Deflated), by Source	Deflated Increase/(Decrease)	
State	$217,026,785	57%
Local	147,631,988	79%
Federal	(39,346,579)	(17%)

Exhibit 7, page 16, demonstrates the actual and deflated funding of education in Mississippi from fiscal years 1971 through 1991. The graphs show an upward trend in state and local funding for both actual and deflated dollars. The most drastic increases began after 1985. As the graphs depict, the largest increase in local funding occurred in 1986. Several specific events occurred during this period that may account for this large increase and the upward trend that followed:

- *Financing of bond and interest payments*--The first and most significant increase in revenues was to fund bond and interest payments. Education reform required the implementation of kindergarten programs for the 1986-1987 school year, and districts had to provide capital outlay for the necessary school buildings to house those students. Also, subsequent to March 3, 1987, school districts were required by state law to account for their general obligation bonds. Prior to that date, the debt was under the control of the counties or cities in which the districts were located and consequently was not included in reports on local district expenditures. (MISS. CODE ANN. Section 37-21-1 et. al.; Section 37-59-101; Uniform School Law; Attorney General's Opinion October 22, 1987)

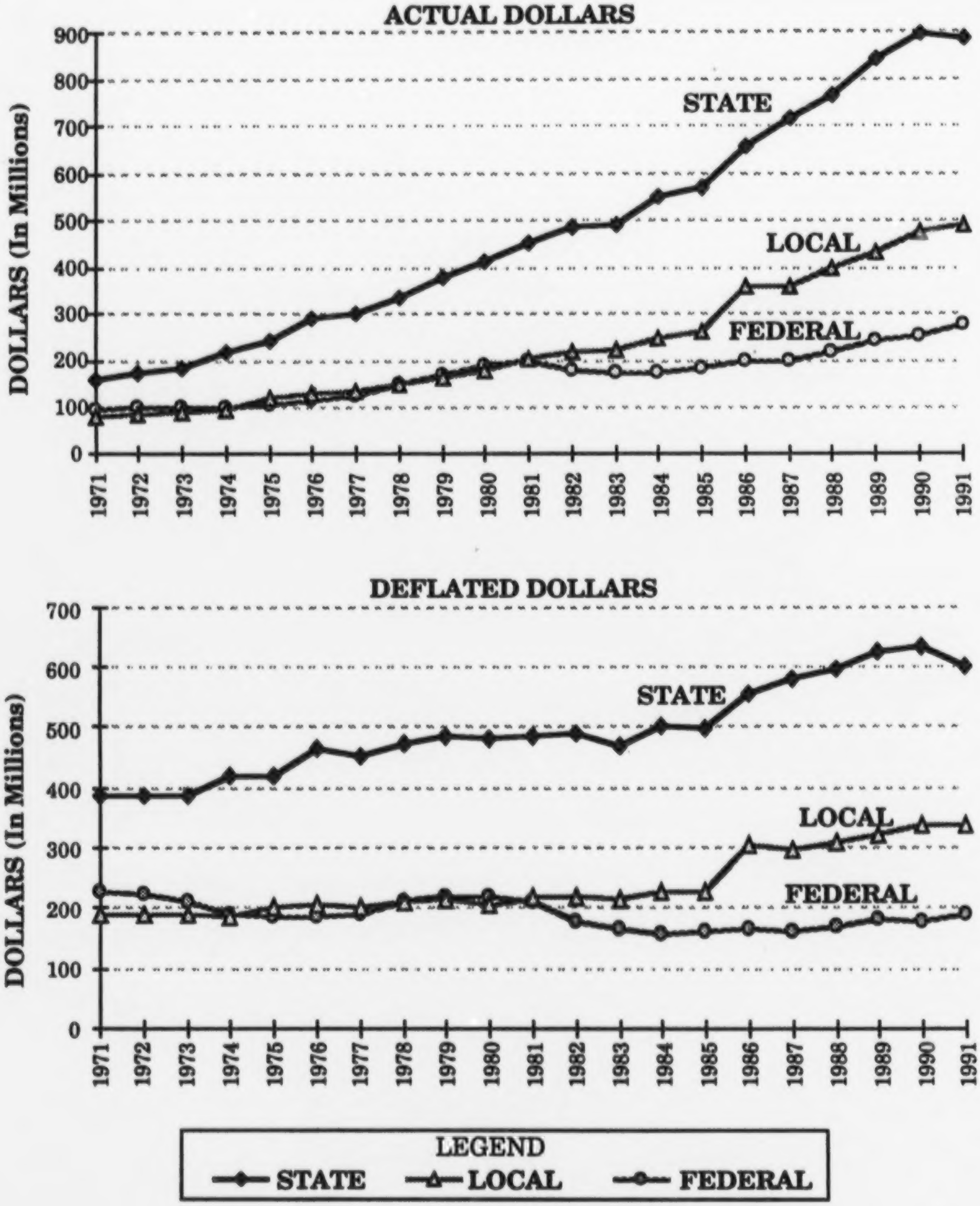
- *Increase in required minimum local ad valorem tax effort*--MISS. CODE ANN. Section 37-19-35 increased school districts' requirements for minimum local ad valorem tax effort to support the Minimum Program--from a total of $16.5 million in FY 1987 to $24 million in FY 1996 and thereafter.

- *Requirements for reporting all student activity funds*--The *Mississippi Public School District Financial Accounting Manual*, as prescribed by the Office of the State Auditor, was amended effective July 1, 1985, to require the accounting and reporting of all student activity funds. These funds previously were not included in receipt data. (MISS. CODE ANN. Section 37-37-1)

- *Reappraisal and millage increase*--Other activities that could have affected the local increase include the 1985 reappraisal for tax

EXHIBIT 7

FUNDING OF PUBLIC EDUCATION
(For Fiscal Years 1971 - 1991)



NOTE: Adjusted for inflation using Implicit Price Deflators for Gross National Product (1982 dollars).

SOURCE: PEER analysis of State Department of Education compiled information.

purposes of all property in Mississippi and the 1986 amendment to state law that allows a maximum three mill (increased from two mills) special tax levy for notes and certificates of indebtedness. (MISSISSIPPI CONSTITUTION Art.4, Sec 112; MISS. CODE ANN. Section 27-35-3; Section 37-59-107)

State funding for public schools (see Appendix A, page 185) comprises not only the state general funds that are budgeted and distributed to districts by the SDE, but also funds distributed by the State Tax Commission, such as homestead exemption and severance tax refunds. These funds represented only 8% of the state funding of public schools during fiscal year 1971, and the ratio has declined to 4% for fiscal year 1991. Homestead exemption reimbursements and severance tax refunds are distributed from the State Tax Commission per Title 27 of the MISSISSIPPI CODE ANNOTATED, Chapters 33 and 25, respectively.

Funding of the State Department of Education

The growth of state education funding is reflected in the changes in actual SDE expenditures across all of the department's budgeted programs. Appendix B, page 186, presents the actual SDE budgeted program expenditures by financing source since fiscal year 1980. (Fiscal year 1980 is used as the *benchmark*/base because of the obvious increases since the beginning of that decade.) Increases in state funding result from the Education Reform Act of 1982, but also from subsequent major legislation, as described below:

1982 *Education Reform Act*--greatly increased the state's responsibilities regarding the financing of the public schools, effecting increases both directly and indirectly. Directly, funding for the Minimum Program was increased for kindergarten teachers, assistant reading instructors, and increases in teacher pay scales. Indirectly, SDE was required to provide administrative planning and guidance in the implementation of the kindergarten programs, performance-based accreditation, staff development and training, statewide testing, standards for graduation, and compulsory school attendance. (MISS. CODE ANN. Section 37-19-1 et. al; 37-21-1 et. al.; 37-19-7; 37-17-1 et. al.; 37-3-4; 37-16-1 et. al.)

1985 *Tax and Pay Bill*--increased teachers' salaries across-the-board for school years 1986-1988. Provided for annual appropriations for Chickasaw Cession school districts beginning in fiscal year 1986 up to $5 million by and after fiscal year 1990. (MISS. CODE ANN. 37-19-1 et. al.; Section 29-3-137)

1986 *Creation of the Education Trust Fund*--Income from this bill was to be appropriated for elementary and secondary education, through Section 206A in Article 8 of the MISSISSIPPI CONSTITUTION, ratified by the electorate on November 4, 1986. (MISS. CODE ANN. Section 7-9-101 et. al.)

1987 *Creation of the Mississippi School for Math and Science*. (MISS. CODE ANN. Section 37-139-1 et. al.)

1988 *"Teacher Pay Raise" Bill*--set a minimum annual salary increase and raised annual incremental increases in teachers' salaries; also, provided for increases in the Minimum Program for supportive services, kindergarten and school bus transportation. (MISS. CODE ANN. Section 37-19-1 et. al.)

1989 *"Equity Funding" Bill*--provided uniform millage assistance grants to districts with the intent of assuring minimum local tax efforts and minimum funds per student in average daily attendance. Also, provided second-level funding for qualifying consolidated school districts and emergency fund loss assistance. (MISS. CODE ANN. Section 37-22-1 et. al.)

Bill enacted increasing minimum school term from 175 to 180 days. (MISS. CODE ANN. Section 37-19-1 (n)

As derived from the data as presented in Appendix B, Exhibit 8, page 19, graphically demonstrates the growth of SDE actual budgeted expenditures (general and special funds) over the last twelve complete fiscal years (1980-1991). Since fiscal year 1980, these expenditures have more than doubled, from $563,785,972 to $1,160,534,247 (106%). Removing the effect of inflation slows the curve to a 21% growth in dollars.

Exhibit 9, page 20, presents this upward trend in SDE expenditures subdivided by financing sources, general or special (federal and other) funds. As seen from this exhibit, the state general fund share of SDE budgets has grown over the past decade. General funds now represent approximately 75% of SDE budgets, as compared to less than 70% during fiscal year 1980.

Costs of SDE Functions

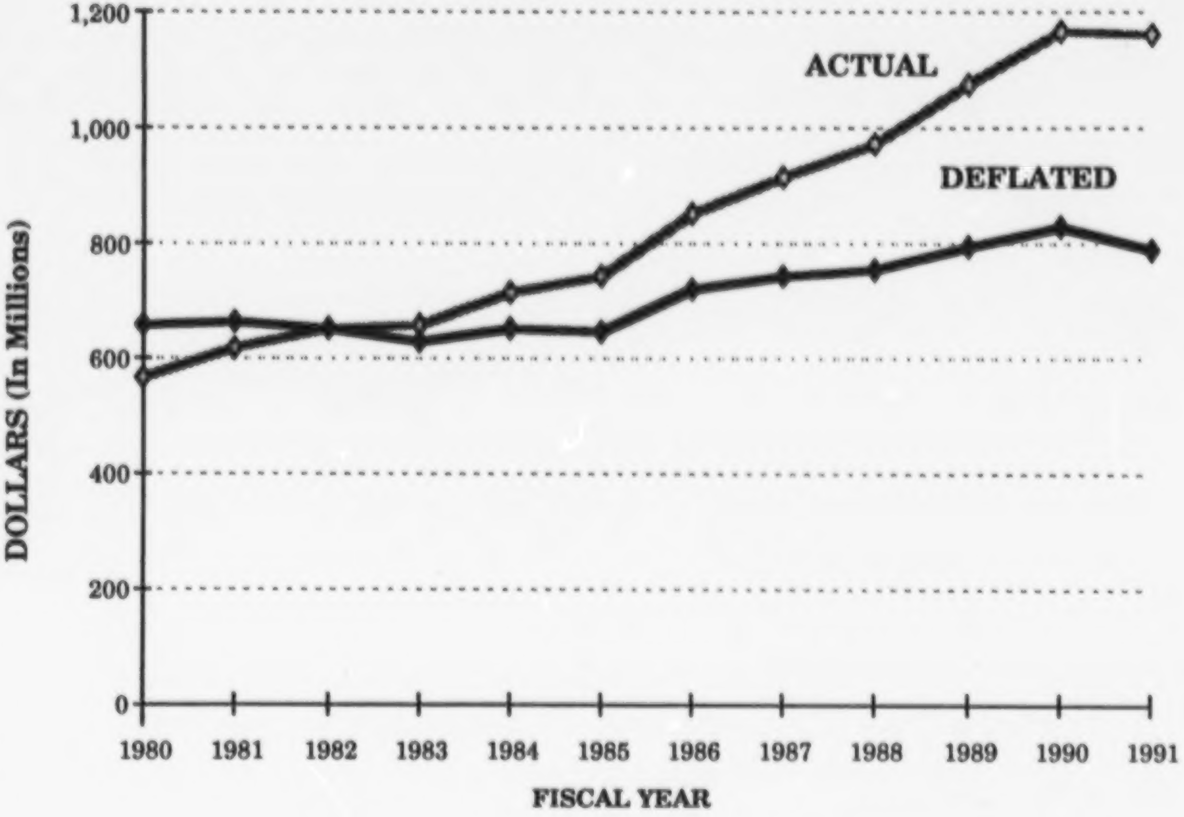
The State Department of Education spent 98.14% of its budgeted general and special funds during fiscal year 1991 on direct support for instructional and other school support. Of SDE's fiscal year 1991 budget, 1.86% was utilized for state administration. Exhibit 10, page 21, presents this categorization by SDE functions as derived from data presented in Appendix C, page 189.

Exhibit 11, page 22, shows the proportion of state administration costs associated with providing instructional and school support. Of the

52

EXHIBIT 8

ACTUAL Versus DEFLATED* TOTAL SDE EXPENDITURES
(For Fiscal Years 1980 - 1991)

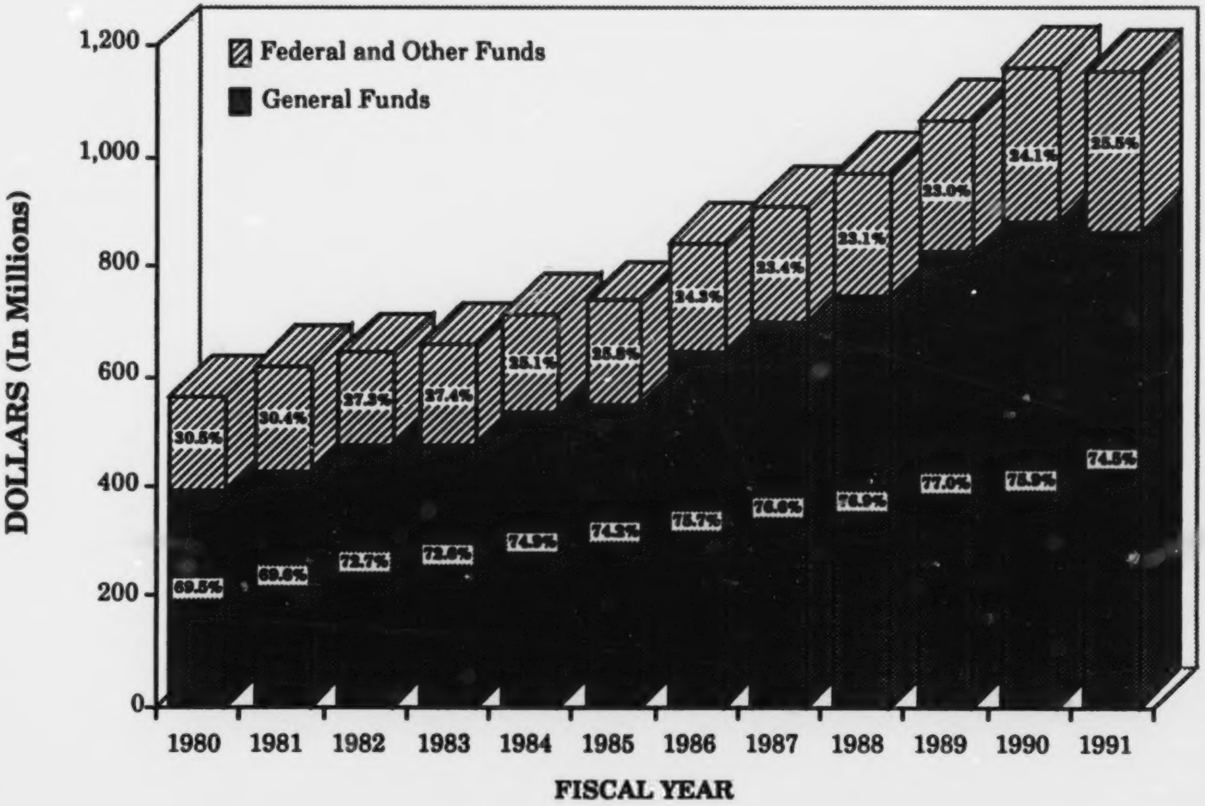


* Deflated dollars are shown in terms of 1982 dollars.

SOURCE: Compiled by PEER staff from actual expenditures as stated in SDE Budget Requests for fiscal years 1982 - 1993, (see Appendix B).

EXHIBIT 9

TREND IN SDE FINANCING SOURCES
(For Fiscal Years 1980 - 1991)



SOURCE: Actual expenditures per SDE Budget Requests for fiscal years 1982 - 1993, (see Appendix B).

EXHIBIT 10

SDE ACTUAL EXPENDITURES BY FUNCTION
(For Fiscal Year 1991)

Office	STATE ADMINISTRATION COSTS			PUBLIC SCHOOLS & OTHER EDUCATION COSTS*	TOTAL EXPENDITURES**
	NON-INSTRUCTIONAL	INSTRUCTIONAL/ SCHOOL SUPPORT	TOTAL		
STATE BOARD OF EDUCATION	$ 67,882	$ 0	$ 67,882	$ 0	$ 67,882
STATE SUPERINTENDENT OF EDUCATION	306,378	0	306,378	0	306,378
DEPUTY STATE SUPERINTENDENT OF EDUCATION	111,611	0	111,611	602	112,213
EXTERNAL RELATIONS	452,225	0	452,225	241,129	693,354
RESEARCH, PLANNING & POLICY DEVELOPMENT	347,060	0	347,060	140,058	487,118
MANAGEMENT INFORMATION SYSTEMS	1,678,734	0	1,678,734	9,039	1,687,773
OFFICE OF ADMINISTRATION AND FINANCE	2,061,598	3,700,843	5,762,441	925,931,084	931,693,525
OFFICE OF PROGRAMS (Excluding Deaf/Blind)	0	8,135,466	8,135,466	129,622,639	137,758,105
VOCATIONAL-TECHNICAL & ADULT EDUCATION	0	4,571,704	4,571,704	70,124,827	74,696,531
SUB - TOTAL	5,025,488	16,408,013	21,433,501	1,126,069,378	1,147,502,879
SCHOOLS FOR THE DEAF & BLIND	0	0	0	6,554,772	6,554,772
TOTAL	$ 5,025,488	$ 16,408,013	$ 21,433,501	$ 1,132,624,150	$ 1,154,057,651
ACTUAL DOLLARS EXPENDED BY SOURCE:					
STATE (General Funds)	$ 3,352,486	$ 9,181,353	$ 12,533,839	$ 852,586,889	$ 865,120,728
Percent of Total	66.71%	55.96%	58.48%	75.28%	74.96%
FEDERAL / OTHER (Special Funds)	1,673,002	7,226,660	8,899,662	280,037,261	288,936,923
Percent of Total	33.29%	44.04%	41.52%	24.72%	25.04%
TOTAL	$ 5,025,488 100.00%	$ 16,408,013 100.00%	$ 21,433,501 100.00%	$ 1,132,624,150 100.00%	$ 1,154,057,651 100.00%
PERCENT DISTRIBUTION BY CATEGORY	*0.44%*	*1.42%*	*1.86%*	*98.14%*	*100.00%*

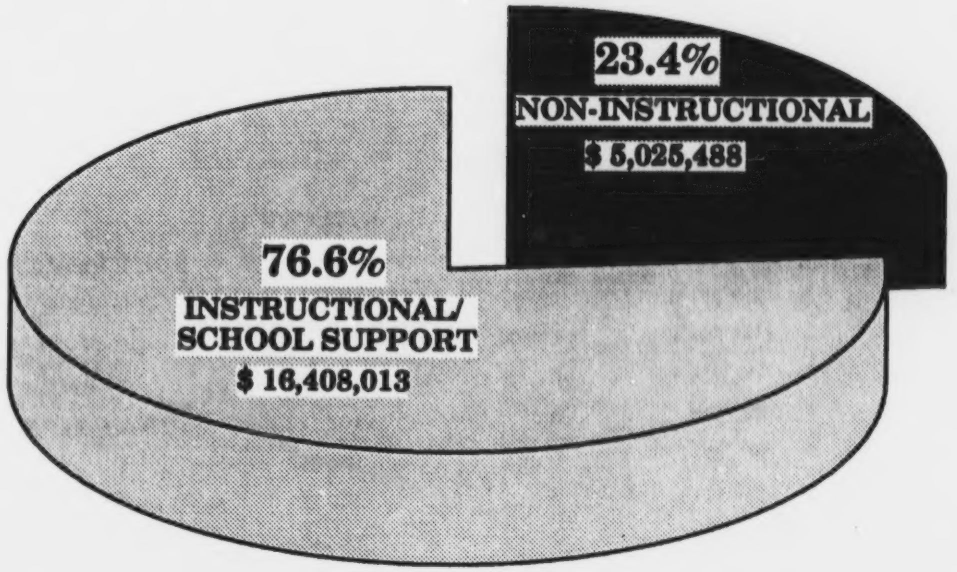
* Represents direct costs (through subsidies, loans and grants; textbook procurement; costs of Schools for the Deaf/Blind) related to instruction and school support.

** Total expenditures immaterially different from FY 1991 amounts per Appendix B due to sources of unaudited data.

SOURCE: PEER analysis of SDE's functions and categorization of costs from SDE's fiscal year 1991 unaudited budgetary expenditures.

EXHIBIT 11

SDE STATE ADMINISTRATION NON-INSTRUCTIONAL COSTS VERSUS INSTRUCTIONAL/ SCHOOL SUPPORT COSTS
(For Fiscal Year 1991)



TOTAL SDE ADMINISTRATION COSTS = $ 21,433,501

SOURCE Compiled by PEER staff from budgetary expenditures as reported by SDE.

state administration expenditures, 76.6% was spent on these costs, with 23.4% utilized for non-instructional costs. Appendix D, page 194, describes the method PEER used to categorize SDE administrative expenditures.

While the Board of Education superficially complies with Mississippi law requiring the annual publication of a five-year plan, the Department of Education does not comply with the intent of the law that this plan be a true working plan. Such a plan should be based on broad input, should govern program operations, and should set forth measurable, outcome-based goals and objectives for maximizing strengths and addressing shortcomings in education at the state and local levels.

Despite inevitable shifts in the composition of the board, in the department's leadership and staffing, and in the orientation of local education agencies and executive branch leaders, the state's system of education must be guided consistently and firmly by well-founded, research-based policy.

However, Mississippi's Board of Education has not developed a stable and consistent policy base from which to operate. In the seven years since the enactment of legislation creating the state Board of Education, the board's orientation has shifted from extensive state regulation to impending deregulation; from a local district accreditation policy based both on student performance and characteristics of effective schools to a policy that attempts to focus on student outcomes. While changing focus is the board's prerogative, the board made the latter changes without conducting a comprehensive review of strengths and weaknesses, accomplishments and failures of the existing programs in this state. Instead of studying the current system and refining what the board itself had put in place a few years earlier, the board and department have changed direction without assurance that the new approach will effectively address specific weaknesses of Mississippi's system.

COMPONENTS OF A BEHAVIORAL OR OUTCOME-BASED EDUCATIONAL OBJECTIVE

Who . . .

(which students? which other participants in the system?)

will do what . . .

(read? compute? demonstrate good citizenship?)

how well. . .

(at what level of performance? how much better than current performance?)

under what conditions.

(e.g., after a program enhancement has been in place for __ semesters)

Following is a detailed discussion of the lack of a comprehensive planning and evaluation cycle to serve as a basis for improving the state's education system. Other problems associated with policy-making in the absence of an adequate research base are discussed later in the section on school accreditation (see p. 124).

Evaluation and Planning Mandates

The state Superintendent of Education and Board of Education share responsibility for the planning functions of the agency. MISS. CODE ANN. Section 37-3-12 requires the state superintendent to collect, analyze, and interpret data, information, test results, evaluations and other indicators to identify areas of need. That section also requires that the superintendent conduct evaluations and other research activities to serve as a basis for short-range and long-range planning. The latter requirement provides a link with another section (CODE Section 37-1-3), which requires that the State Board of Education publish a five-year plan. The long-range plan must set forth *objectives* for system performance and the board must budget accordingly. That section also requires the board to identify the functions of the Department of Education which contribute to the state system of educational accountability and to maintain an organizational structure, policies, and procedures for effectively coordinating accountability functions. Through Section 37-1-2 (i), the Legislature requires that the department "*assure that the budget process, the planning function and the allocation of personnel of the state department of education are commensurate with its educational goals.*" Taken together, these statutes require a coordinated process of evaluation, needs assessment and long-range planning, culminating in the publication of a statewide long-range plan for improvement. The board and department must use this plan as a basis for budgeting and resource allocation.

Thus, state law and good management practice require that the planning process include identification of the goals of the organization (the "objectives for system performance" required by statute), an assessment of the extent to which actual conditions deviate from those goals, and the development of strategic plans for reducing the gap between the goal and existing conditions. The process also should include a time frame for bridging the gap between goals and reality, assignment of individuals or organizational units responsible for carrying out program activities, and specification of required human and financial resources.

Deficiencies in the Board's Planning Process

The board's and department's planning process is deficient in the following ways.

- *The board has failed to integrate a plan for accomplishing national education goals into the state's five-year plan.*

In 1989 President Bush and the nation's governors suggested a series of national goals for education improvement. After adopting these national goals as the state board's own goals soon after their publication, Mississippi's Board of Education restated and endorsed the national goals in a prologue to the board's most recent state plan, which it adopted in September 1991. Although the board has reaffirmed its commitment to the national goals, to date the board has not integrated the initiatives necessary to accomplish these goals into its own strategic plan. (See Appendix E, page 195, for the national goals and Appendix F, page 199, for a description of the board's five-year plan.) As a result, department staff and local district personnel operate under two major statements of board direction with no guidance as to how the two relate.

For example, the fourth national goal states that by the year 2000, U.S. students will be first in the world in science and mathematics achievement. The "areas of emphasis" section of the board's five-year plan refers to National Goal Number Four (the science and math goal) and calls for continued revision of the overall curriculum *"to emphasize basic, global and higher order thinking skills; improved instructional training and management in the classroom; and an education that includes documented mastery of educational competencies."* However, beyond these general statements of intent, the five-year plan presents no specific information on how Mississippi will ensure that its students will meet this goal within the next eight years, nor does it say who is responsible for ensuring that changes are made. The state plan makes no mention of any initiative to assist local districts in establishing their own plans of action for making the drastic improvements that will be needed to meet this ambitious goal. The state plan also fails to mention how the board, local districts, the Legislature or the public will determine the extent to which Mississippi students have progressed toward accomplishing the goal in interim years.

- *The board's planning process lacks an effective feedback mechanism to provide the board and SDE management with essential information to improve current programs and to serve as a basis for developing new initiatives.*

No System of Indicators to Use for Assessment--The board should maintain a series of educational indicators that provides information that is valid and useful for making policy decisions. An indicator system should provide measures of the *effectiveness* of various components of the educational system and how those components work together to represent the condition of the system and changes in the condition of the system over time.

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State education indicator system: A recent report by the RAND Corporation, a private research firm, suggests that a state education indicator system should include the following educational inputs, processes, and outcomes:

- -- educational inputs: fiscal, material, and other resources; teacher quality; student background
- -- educational processes: school context and organization; curriculum; teaching quality; instructional processes
- -- educational outputs: student achievement; participation; attitudes and aspirations

In addition, the RAND report provides eight characteristics of a comprehensive educational indicator system. An indicator system should:

- -- reflect central or core features of the educational system;
- -- provide information pertinent to current or potential problems;
- -- measure factors that policy can influence;
- -- measure observed behavior rather than perceptions;
- -- use reliable and valid measures;
- -- provide analytic linkages among indicators;
- -- use collectable indicators; and,
- -- address a broad range of audiences.

Although good management practice alone requires development and implementation of a comprehensive system of indicators, MISS. CODE ANN. Section 37-3-12 also requires that the Board of Education maintain such a system to ensure accountability. (See section on accreditation, page 123.)

Analysis of data and use in planning: An agency's use of an indicator system is not complete if the agency does not summarize and thoroughly analyze data from all elements of the system. Such an analysis might include, for example, a review of each grade's *basic skills* performance on each subtest of the statewide testing program; determination of districts in which the number of students with low scores has increased and those in which the proportion of low performers has decreased; determination of districts with high proportions of disadvantaged students who score well and those with similar demographics scoring at lower levels; and any noteworthy instructional methods, school management practices or other programs that might be associated with performance improvements.

The final section of the board's five-year plan includes a series of nine "indicators," such as student attendance, number of emergency teaching certificates and average student test performance. However, the department could present no documentation that administrators or board members had analyzed performance on these or other measures and based the state plan on any such analysis. In fact, the form in which student performance indicators are summarized and presented in the five-year plan and in other department publications is too general to be used in a detailed analysis of system strengths and weaknesses. (See Mississippi Statewide Testing Program, page 105.)

No Departmental Consensus Concerning Indicators and Action Steps--Each "plan of action" (performance-based objective) in the Five-Year Plan's final section, Indicators of Improvement, includes a list of "methods of improvement." These sections on methods provide information on how the department will interact with local districts to accomplish the only performance-based objectives appearing in the plan. The previous nine sections of the plan also list actions the department intends to take to improve the system. However, the plan makes no attempt to tie together these lists of activities. In fact, Department of Education administrators from the various program areas said they had not been consulted concerning the objectives in this section or the "methods of improvement" related to their areas.

For example, one goal listed in the Indicators of Improvement section is "Increase GED Diplomas." Methods of improvement include increasing personnel involved in providing GED instruction and establishing more instructional centers in order to make training more accessible. Yet when PEER asked a department administrator in the adult education division how many additional GED centers the department has established and how many additional people deliver GED services, the administrator said the department is not actually attempting to increase the number of personnel involved in providing GED instruction and is not actively attempting to establish more instructional centers.

Several other program administrators said their offices had had no input into developing the "methods of improvement" listed in the Indicators section. Further, when PEER interviewed the State Superintendent about accomplishing the objectives in the Indicators section, the Superintendent said some objectives and methods of improvement in the indicators section of the plan, such as increasing student attendance, are not a high priority and do not receive much attention because the state already performs well in that area.

Limited Use of Data Base for Assessment--Although it is not used for planning, the department annually collects and electronically stores a wealth of data on students (e.g., test results, socioeconomic status), teachers (e.g., education, certification, salary, courses, class sizes), schools, and districts (e.g., resources, expenditures, staffing). The department enters and uses teacher and student data for allocating Minimum Program funds and assessing individual districts' compliance with accreditation standards. However, the existing management information system has not been adapted for use in providing management (i.e., the board and top administrators) with the information needed for identifying systemic strengths and weaknesses and for developing and modifying policy initiatives on the basis of such information. By designing certain report formats and specifying certain analytical procedures, however, the department and board could better use available data for planning and management on a macro level. Following are two examples of the department's failure to examine thoroughly systemic weaknesses and address these problems in the state plan:

Failure to focus attention on low levels of performance on eleventh grade Functional Literacy Examination and to set goals for improvement: PEER's analysis of Functional Literacy Examination results for 1990-91 eleventh graders raises serious questions about literacy levels of one-third to one-half of the state's high-school-age population. (See Mississippi's Statewide Testing Program, page 105.) More than one-fourth of all eleventh graders failed to reach the 80% mastery level on the Functional Literacy Exam and another group of approximately 10,000 students in the same age group did not take the test because they had dropped out of school. The proportion of individuals in the 16- to 17-year-old age group lacking basic literacy skills may be as high as 30-47% if the 10,000 dropouts are functioning at levels below those of eleventh graders who remained in school and took the Functional Literacy Exam. However, department staff have not examined Functional Literacy Exam data in relation to the long-term minimum performance standard (80% correct) set by the board as a target standard for determining students' mastery of basic skills. Instead, the department has determined and reported to the public only the percent of students demonstrating a much lower level of achievement (a cutoff score of 60-70% correct). (See page 115.) The department does not conduct research to determine how many students lack basic skills, why these problems are occurring, and how these performance problems relate to dropout levels and work force preparedness. The department also does not prepare research papers or conduct presentations to inform district personnel and the public of the problems the state faces in developing a literate work force and to elicit cooperation from all sectors in addressing these problems. This lack of analysis of Functional Literacy Examination results in relation to the board's own standard of acceptable performance is an example of the board's failure to use existing information to determine system strengths and weaknesses, disseminate this information, and plan accordingly.

Failure to focus attention on poor reading performance in relation to national norms and to set goals for improvement: Another example of the board's failure to analyze existing data fully and use that data as a basis for planning relates to students' reading achievement, especially at the upper elementary and secondary levels. Data collected by the department's assessment division over the past several years provides evidence of a serious lag in average reading achievement in relation to national norms. (See page 121.) However, the department has not analyzed and disseminated information on the students who experience the greatest difficulty, the reading subtests on which the most serious deficiencies were noted, what instructional or other conditions might affect the performance of these groups, which districts have the most and the least difficulty on these subtests, the training and experience levels of teachers in the districts with the highest and lowest *performance levels*, and what the research literature suggests for improving the reading performance of these students. In neglecting to use data already at hand, the department is foregoing a valuable resource that could be used to reach a clearer understanding of the state's academic successes and failures and to plan accordingly.

No Evaluation of Department Performance--The Office of Research, Policy, Planning, and Development (ORPPD) is implicitly responsible for evaluating current education programs and developing goals and objectives for the agency's five-year plan. Generally, an organizational unit of this kind would collect, analyze and interpret information on the need, implementation, and impact of agency programs. However, department management has not allowed that office to assess the effectiveness of individual SDE programs. Instead, that office seeks grants, administers certain grant-funded programs and compiles the annual plan. Also, the Office of Research, Policy, Planning and Development does not systematically determine whether objectives in earlier plans have been accomplished, nor does the department publish information on accomplishment of objectives. As a result, the board and the department lack the information they need to identify ways to improve the delivery of programs administered by the department, to decide whether to expand or curtail programs, to recommend increases or decreases in funds and staff resources for programs, and to understand why program units failed to reach intended results.

An example of a system-wide lack of information on program effectiveness can be seen in the state's staff development (in-service training) program. The department has not evaluated the effectiveness of that program and does not require that districts base local staff development programs on measurable objectives.

Accreditation standards approved by the state Board of Education require that district staff development (in-service training) programs be "change-inducing." That is, districts should be able to demonstrate improvements in knowledge, skills or attitudes as a result of the local staff development program. However, many educators have expressed doubt concerning the effectiveness of the staff development program as it now exists. Staff development was mentioned in PEER's focus group interviews as the least beneficial program conducted by the department. Some teachers said the program has failed to provide training events that lead to improvement in instruction.

Yet the department has not assessed the extent of changes resulting from the staff development activities that began in 1984 as a result of the Education Reform Act. The staff development program, as it is currently operated, requires that districts submit staff development plans for the department's approval to be eligible to receive a portion of the state funds ($364,630 in FY 1991; $18,000 in FY 1992) designated by the department for use in local district staff development.

One factor contributing to the department's lack of information on the program's effectiveness is some local districts' practice of submitting program objectives whose accomplishment cannot be measured. Although in 1991 the department began informing districts submitting such objectives that their objectives were not written in behavioral terms (i.e., the objectives did not specify the knowledge, skills or attitudes teachers would be able to demonstrate as a result of the training), the department nevertheless continued to approve staff development plans specifying non-behavioral objectives.

If the department does not require that objectives be measurable and if, as a result, some districts continue to submit objectives that are not in behavioral terms, the department cannot hope to determine whether the program is resulting in change. Under these circumstances, neither the districts nor the department can account to the public for the use of state or local staff development funds or for the estimated 750,000 hours (27,778 teachers X approximately 27 hours per year) devoted by teachers alone to participation in staff development activities. Further, the department and the board lack the information they need for developing effective staff development policy.

Failure to Involve Program and District Personnel in the Planning Process--The board's/department's planning process does not involve the individuals who will be responsible for implementation of the resulting plan and policies--the department's program personnel and district and local personnel.

Lack of input from SDE program personnel: The planning process generally begins when the Office of Research, Policy, Planning and Development sends a memorandum to Associate Superintendents, the Management Information System Data Processing Manager and the Special Assistant to the Superintendent requesting information to be used in updating the Five-Year Plan. The Office of Research, Policy, Planning and Development then develops a draft plan, which it circulates among top-level department administrators. These administrators may in turn ask for feedback on the draft plan from lower level staff. Administrators at various levels decide whether to send comments from subordinate staff up through the hierarchy. Under the current planning system, staff with supportive supervisors at all levels stand a good chance of being heard regarding their program areas, but other staff members with important contributions may not be given an opportunity to affect the shape of the final plan.

As a result, input from staff who are most familiar with day-to-day district and system needs may not be reflected in the final plan. The department's failure to involve bureau- and division-level staff in the development of goals, objectives and indicators could negatively affect the implementation of agency projects because higher-level management may not have detailed knowledge of specific actions necessary to carry out objectives. Also, if not permitted to participate, staff may not support recommended program initiatives and may not work effectively to accomplish them.

Absence of an effective method for conveying information to and receiving input from district personnel, including classroom teachers: As the personnel most directly responsible for ensuring that student performance goals are achieved, classroom teachers must be involved at all levels of the planning process. However, teachers' participation is particularly important in the stages of the planning process involving collection of information about what has and has not been effective in improving student performance.

Teachers' Exclusion from Planning

During the summer of 1991 PEER conducted a series of focus group interviews across the state to obtain information from local school district teachers and administrators. PEER selected local school district participants at random from all of the state's public school teachers and administrators appearing on a school district personnel list provided by the Department of Education.

Many local district participants in PEER's focus group interviews said they had no idea what the state plan includes and had had no input into the planning process. Some were aware that local districts had local five-year plans, but most denied any knowledge of or participation in planning at any level (see discussion of local plans, page 33). Of all focus group participants, teachers considered themselves especially poorly informed regarding local and state planning procedures and the plans that resulted; most said they had not been involved in any formal planning for school improvement at the state or local levels and had not been briefed on the goals and objectives state and local authorities are attempting to reach.

Hierarchical Approach to Communication

Some teachers said they believe the cause of their isolation from discussions of statewide planning and implementation matters is that the department's system for conveying information to and receiving information from classroom teachers relies heavily on local channels of communication. The department routinely mails memos to superintendents and to other district and school administrators. Teachers said they cannot depend on those administrators to convey important information to them in a timely and accurate manner, and often teachers never receive the information at all. These teachers were particularly concerned about receiving accurate, timely information on issues related to teacher certification, because a teacher's job depends on maintaining a valid teaching certificate. Some teachers said change in local communication procedures is unlikely because many local administrators would not willingly relinquish their control over the flow of information.

Availability of Alternatives

Department personnel at every level agreed that the SDE has not been fully successful in communicating with teachers. They explained that routinely mailing information to the state's 27,778 classroom teachers would consume far too much time and postage. Some department personnel, however, especially those in the Division of Instruction, have begun communicating with teachers more directly through regional meetings with school faculty representatives in the various areas of instruction. Department subject area coordinators ask these school subject area representatives to convey information directly to teachers in their schools. Even though department administrators expressed concern that current procedures are not widely effective, the department has not used the latter approach on a broad scale, nor has the SDE formally adopted and implemented any other alternative to the existing hierarchical approach to communication.

- *The State Department of Education does not ensure that districts develop true working five-year plans or that they incorporate state goals and objectives into these plans.*

State accreditation standard 13 states that it is State Board of Education policy that each district "*has a five-year educational plan which serves as the basis of operation and which addresses actions to improve district performance on accreditation standards.*" Appendix A of the state accreditation standards (Bulletin 171) addresses in detail the board's requirements concerning district five-year plans. While the appendix addresses who should participate in development of the plan, the data which the district should use as the basis for its plan, the content of the plan, and the plan approval process, nowhere does the Appendix require the district to link its plan to the state plan. This is a serious flaw in the department's planning process, as the success of the state plan hinges on the adoption and implementation of its components by the districts.

Further, the department does not take an active role in reviewing the content of district plans to make sure that they are true working plans--e.g., that they: contain measurable outcome-based objectives linked to goals, programs, costs, responsible parties, and completion dates; prioritize their goals and objectives; obtain broad-based input in development of the plan and distribute copies of the final plan to all affected parties; and, base modifications to the plan on analysis of outcome measures. The recommendation on pages 159 through 161 contains a more detailed discussion of the elements of a working plan. Currently, the only district plan oversight which the department performs takes place during accreditation site visits, which occur once every five years. During these visits, the department performs a routine check to determine whether a district has "a plan," but makes no effort to review plan content.

- *The SDE five-year plan includes only limited use of measurable objectives.*

In a performance-based five-year plan, the board would specify one or more high-priority goals and series of performance-based objectives for each major area of system activity. (See sidebar on performance-based objectives, p. 24.) Instead of being based on performance goals and objectives, the existing SDE plan's only measurable objectives are included as "indicators of educational progress." For example, one "indicator" is to "Increase student scale scores on the Basic Skills Assessment Program." These indicator statements would be a start toward a performance-based plan, but department administrators said these statements should be viewed not as objectives in themselves for which any organizational unit within the department should be held accountable. Instead, they said the objectives within the "indicators" section should be seen simply as measures demonstrating the extent to which the objectives in the preceding nine sections (the process objectives) are being accomplished.

To be useful as performance-based objectives, these indicators should specify the extent of the intended improvement (e.g., in the case of the previously described reading problem, current and intended reading performance); which populations are targeted to demonstrate the improvement (low-income students? eighth grade students? all students?); and how the improvement in performance will be measured (annually? using which tests? which subtests?). In the absence of specific performance-based objectives, the only process objective even indirectly related to remediating academic deficiencies is item 9 in the curriculum/testing section. That item simply calls for continued implementation of the CONTINUUM remediation program for at-risk

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students and identification and dissemination of information about programs that are effective for these children. Instead of specifying the extent to which students' reading achievement will improve, the level of effectiveness of the existing program and how lessons learned from an evaluation of current efforts will be used to improve performance statewide, the objective merely calls for continuation of an existing program.

Without clearly stated, measurable goals and objectives, the Department of Education has no means of evaluating its performance. Further, in the absence of a sound educational indicator system, neither department managers nor the Legislature can achieve a clear understanding of how well the state's educational system functions.

- *The five-year plan does not rank objectives in priority order.*

In the 1991-1995 *Five-Year Plan for Educational Improvement*, the State Board of Education identified seven areas for educational emphasis. These areas include: performance-based accreditation, educational infrastructure, teacher health insurance and pay raise, curriculum development and instructional improvement, pre-kindergarten and early childhood education, improvement of coordination and collaboration efforts, and community involvement. The board, however, has never prioritized the state's educational goals and made certain that department funds and staff resources have been concentrated to these identified areas. As part of the planning process, the board should weigh state goals against each other and should make the necessary trade-offs between the desired performance in one program area as opposed to another. The board should make crucial decisions concerning the extent to which the state system of education should sacrifice immediate results for the sake of long-range goals, or the extent to which the system should place long-range plans at risk in favor of more immediate results. For example, during a year of cutbacks in state funding, the board may need to make a decision to channel funds they originally may have designated for lower priority programs to a higher board priority, such as curriculum development or improved instructional methods, because of an urgent need to accomplish specific program goals before the end of the decade.

It is equally important for the department to communicate the basis it uses in setting priorities to educators, policymakers, and the general public. Legislators, department staff, local school districts, and the community need a clearer understanding of why the first educational priority in the state may be pre-kindergarten education (if that is the case) instead of, for example, middle school reading. The public needs to understand why it is essential to the progress of the state's educational system to concentrate funds and other resources toward one program area versus another.

Since the SDE currently operates with limited state funds and staff resources, it must focus on areas where student performance and results are most critical and attainable. If board decisions are expressly stated and a stepladder approach is used to identify the greatest and least of priorities, the likelihood of more uniform and focused staffing and funding efforts by education administrators at the state, district and local level increases.

- *The department has assigned less than 5% of its staff to organizational units devoted to improving regular academic instruction, even though its five-year plan is intended to promote "educational improvement."*

To ensure efficient use of personnel in accomplishing goals and efficiently performing departmental functions, the department should periodically assess its staffing patterns in relation to long-range plans, board priorities, and workload. Although the department updates and modifies its long-range plan every year, the department has not formally studied its current staffing distribution in relation to those plans or in relation to the respective workloads of the various divisions.

The department's 1991 staff included a total of 754 positions. Of those positions, 533 were assigned to the program office and the vocational education office, including 215 positions at the Schools for the Blind and Deaf. The program and vocational offices are the two organizational units primarily responsible for carrying out student performance improvement initiatives undertaken by the board. (See Exhibit 3, page 10.) Although this program staffing distribution (71% of all department staff) reveals a significant overall allocation of staff resources to these instruction-related units, an additional breakout of program office staff shows that a high percentage of these staff members (94% of Office of Programs and Office of Vocational-Technical and Adult Education staff) work in such special programs as Chapter 1 remedial education, *special education* (including Schools for the Deaf and Blind), and vocational education.

While these are legitimate program areas that perform essential functions within the broader system of education, in 1991 the department assigned less than 5% of all department staff (30 positions, including clerical staff) to organizational units devoted to assisting teachers, districts and universities directly in improving regular academic instruction. Of these, 14 positions (2% of all department positions) were located in the only division that provides curriculum and instructional support to regular classroom teachers. An additional 15 Technical Assistance and Staff Development Division positions within the Office of Programs were devoted to assisting districts in administrative and instructional improvement, and a portion of another position within the Certification Division was used in helping the universities improve their teacher education programs.

The scope of PEER's review of the State Department of Education did not include determining how department staff resources might be better allocated. As a result, this report does not include specific recommendations for redeploying certain staff or for reorganizing the department. However, PEER notes that the department is charged by law with extensive instructional leadership and service responsibilities, and that department personnel work for a board that has embraced ambitious national goals which bear a strong academic orientation. In that context, PEER questions the extremely low levels of staffing currently devoted to improving classroom instruction and academic performance in all subject areas across all school districts in the state.

SPENDING PRIORITIES AND CONTROLS

The significant amount of SDE's funding confirms the critical importance and the need for strong budgetary and financial policies and controls. During fiscal year 1991, SDE was responsible for managing 44% of the state's general fund ($865 million) and 25% of all state budgeted funds ($1.16 billion). The information provided in the Background section of this report and the detail at Appendix B, page 186, emphasize the size of SDE's budget and the importance of proper management of these funds.

In addition to funds appropriated to the State Department of Education, the system of public education over which the SDE has regulatory and policy control spends a significant share of the state's overall government revenues. Based on fiscal year 1989 data, SDE controls or influences in some way education costs which represent approximately 25% of all general government expenditures in the state ($1.6 billion of a total of $6.3 billion). This percentage is calculated by using the U. S. Bureau of the Census' state and local data in comparison with actual SDE and public education expenditures for FY 1989. For purposes of data consistency, this estimate excludes proprietary activities and similar trusts, as well as expenditures by the Schools for the Deaf and Blind.

Overview

Within the framework of existing laws and administrative practices, the Legislature cannot be certain that only high-priority programs within the Department of Education or in local school districts receive state education funds, or that the State Department of Education exercises adequate control over the cost of public education. The first section of this chapter describes the absence of any formal relationship between the department's planning priorities and its internal budgeting procedures. The balance of the chapter describes shortcomings in the Department of Education's administration of public school funding and in the provisions of the Minimum Program law.

Department of Education Administrative Budgeting

The Board of Education has not fully complied with statutory mandates on budgeting because it has not based its budgeting on an effective five-year plan and it has not documented and adopted a central budget policy. Also, the Department of Education has not based its budgeting on its actual, functioning programs.

MISS. CODE ANN. Section 37-1-3 sets requirements for the State Board of Education's adoption of specific rules, regulations, and policies of the

Department of Education. Included in this law are requirements for the establishment and maintenance of a central budget policy, and for the utilization of a five-year plan as the basis for budget requests and legislative initiatives. Other statutes (MISS. CODE ANN. Sections 27-103-113 and 27-103-139) require the preparation of the state's annual budget in an agency program format. In addition, governmental generally accepted accounting principles recognize that budgetary control is enhanced when legally adopted budgets are integrated into the formal accounting system, thus permitting proper management and reporting of expenditures.

To comply with statutory budgeting mandates, the Board of Education would base its five-year plan on a comprehensive assessment of resources needed to accomplish its intended outcomes and the department would then budget and account for expenditures in a way that corresponds with the board's plan which delineates programs established to achieve specific outcomes. However, as discussed above, the board does not specify measurable objectives, nor does it use its objectives as the basis for budgeting. (See p. 34.) In addition, the timing of the program and fiscal planning processes are not synchronized and the department does not estimate the resources needed to achieve the objectives of an *operationalized* plan. With objectives that are not presented in operational terms and with inadequate procedures for estimating the resources needed to accomplish its objectives, the Department of Education has failed to establish a process for basing its budget on its educational goals. In other words, the board does not relate the input of resources to the desired output of services. Following is a more detailed discussion of each of these deficiencies.

- *Failure to budget on the basis of the five-year plan*

The current budgeting system provides no assurance that legislative initiatives and board-approved educational objectives will be funded and met.

Written Policy on Budgeting--One reason for the Department of Education's failure to budget on the basis of the five-year plan is the board's lack of any written policy setting forth requirements and procedures for central budgeting. To ensure that the board's five-year plan is the basis for department budgeting, department managers should specify the program office(s) responsible for ensuring accomplishment of each goal, the activities needed to accomplish the goal, and the estimated cost of performing those activities. This process should result in a well-documented alignment of program objectives and functions with resource needs.

The department maintains a Budget Office that centrally receives budget input from bureaus; however, the system is not formalized with board-approved policies and procedures, and the bureaus are not required to tie or reference budget requests to the five-year plan. The only procedure currently used by the Department of Education to tie the budget to the five-year plan is a reminder to bureau directors that a link should exist.

Accountability and control in achieving board objectives cannot be fully realized without a policy requiring input from and accountability by day-to-day program managers, such as division directors. However, the department has no system to allow and require accountability and budgetary input from these line managers. This lack of control weakens the department's ability to manage and control work toward accomplishing objectives. Currently, the bureau directors submit their budget requests to the Budget Office without justifying the requests through reference to established plan objectives and without documented input from their division directors or managers.

Timing of the program and fiscal planning processes--The Department of Education's ability to coordinate budgeting with objectives is complicated by timing problems between the annual production of the five-year plan and the necessary budgeting schedule. In the past, the five-year plan was compiled and published on a calendar year basis rather than the state's fiscal year. Under that cycle, the plan might not have been approved by the State Board of Education until a significant portion of the first plan year had passed. In 1991 the department adjusted its program planning cycle to coincide with the fiscal year, but that change did not ensure full synchronization of program planning and budgeting because budgeting takes place long before a fiscal year begins. For example, at the time the board approved the 1991-1995 five-year plan (September 1991), the department already had prepared and submitted its FY 1993 budget for legislative review. That is, the department already had completed fiscal plans for FY 1993 before the board had considered a program plan spanning the period 1991-1995.

- *Weaknesses in systems and procedures required to base budgeting on the five-year plan*

If the Department of Education is to succeed in projecting the cost of meeting objectives set forth in the Board of Education's long-range plan, it must have a financial structure that corresponds to the major program areas that its long-range plans seek to address, as well as to the department's organizational structure, which is based on its functions. Also, in order to be fully accountable for its expenditures, the department should maintain its accounts in a way that facilitates reporting expenditures by functional program area.

Program Structure--The Department of Education does not prepare budgets that are segregated into the true functional programs of the department. The department cannot successfully project budgetary costs to meet objectives of the five-year plan if those costs are not grouped into the department's actual programs and reported to the Legislature in that manner for funding purposes. For example, the following current "programs" included in the department's budget process do not divide costs for easy identification with actual department programs: SDE administration, Education Reform Act, Federal/Special projects. None of the latter actually is a functional program area. As a result, the Legislature, the board, the public, and department management cannot evaluate the true needs of the agency to match objectives with programs and functions of the department appropriately. To change its programs to reflect true functional programs, the department would have to request formally and receive permission from the Joint Legislative Budget Committee to use a more functionally-based program structure.

The Department of Education's apparent reason for requesting funds in this manner is a perceived need to present historic data in the same form used in previous budget requests. Also, the legislative budget process in its present form has led the department (as it has other state agencies) to justify increases in budgets and not to justify the existence of each activity and the needed resources which would be required with pure program or zero-based budgeting.

Accounting for Expenditures--The Department of Education for the most part is organized by function, as required by MISS. CODE ANN. Section 37-3-1. Because statutes require budgeting by program, the Board of Education should be able to budget and account for expenditures on a division-by-division basis, corresponding to the department's major programs. However, the board has no formal system to provide accountability of budgeting or spending below the bureau level in most instances. The department does not maintain its accounts in a way that permits scrutiny of budgets or expenditures at the division or branch levels. For the Office of Vocational-Technical and Adult Education, not even bureau-level review is possible.

The Board of Education cannot evaluate expenditures by division or branch because the department does not capture costs through the accounting system at the function levels corresponding with the agency's organization and line structure at the bureau and division levels. Therefore, responsibility for budgets is not accurately defined for effective management and reporting of program performance. This inability to manage and report on program expenditures and performance at these organizational levels weakens the board's control over and accountability for public funds.

As a result of these deficiencies in the budgeting process, the Legislature is not provided with the information it needs to understand fully the Department of Education, its programs and objectives, their relationship to functions and organization, and the staffing and funding levels required to meet those objectives. The Legislature and department managers cannot retrieve information and manage costs at the organization and program levels. Exhibit 12, page 43, shows the current budgetary process and recommended additions to that process.

Public School Finance

Of the public school finance systems used by the states, the system required by Mississippi law is among the most difficult to implement and the least precise in effect. Mississippi uses a combination of average daily attendance for determining pupil units and pupil/teacher ratios for allocating funds. Together, these features present the schools and the Department of Education with an extensive paperwork requirement to account for student attendance units, yet they ensure the Legislature little precision in targeting funds by program.

In addition to its complexity, Mississippi's system lacks detail in its provisions regarding funding for the special education and vocational education programs. These provisions include no pupil/teacher ratios or program eligibility guidelines. Instead, they leave to the Department of Education the task of formulating guidelines for vocational and special education teacher unit allocations.

MINIMUM PROGRAM TEACHER UNIT DETERMINATION

Regular education:

Grades K-4

Greater of these two:

1 teacher unit per every 24 students in average daily attendance (ADA) for the prior school year, or

1 teacher unit per every 24 students in ADA for months 2 and 3 of the current year

Grades 5-12

Greater of these two:

1 teacher unit per every 27 students in ADA for the prior school year, or

1 teacher unit per every 27 students in ADA for months 2 and 3 of the current year

Special education:

1 teacher unit added to the district's allotment for each teacher employed in a SDE-approved program for exceptional children. Exceptional students in a self-contained class may not be counted in ADA toward determining regular teacher units

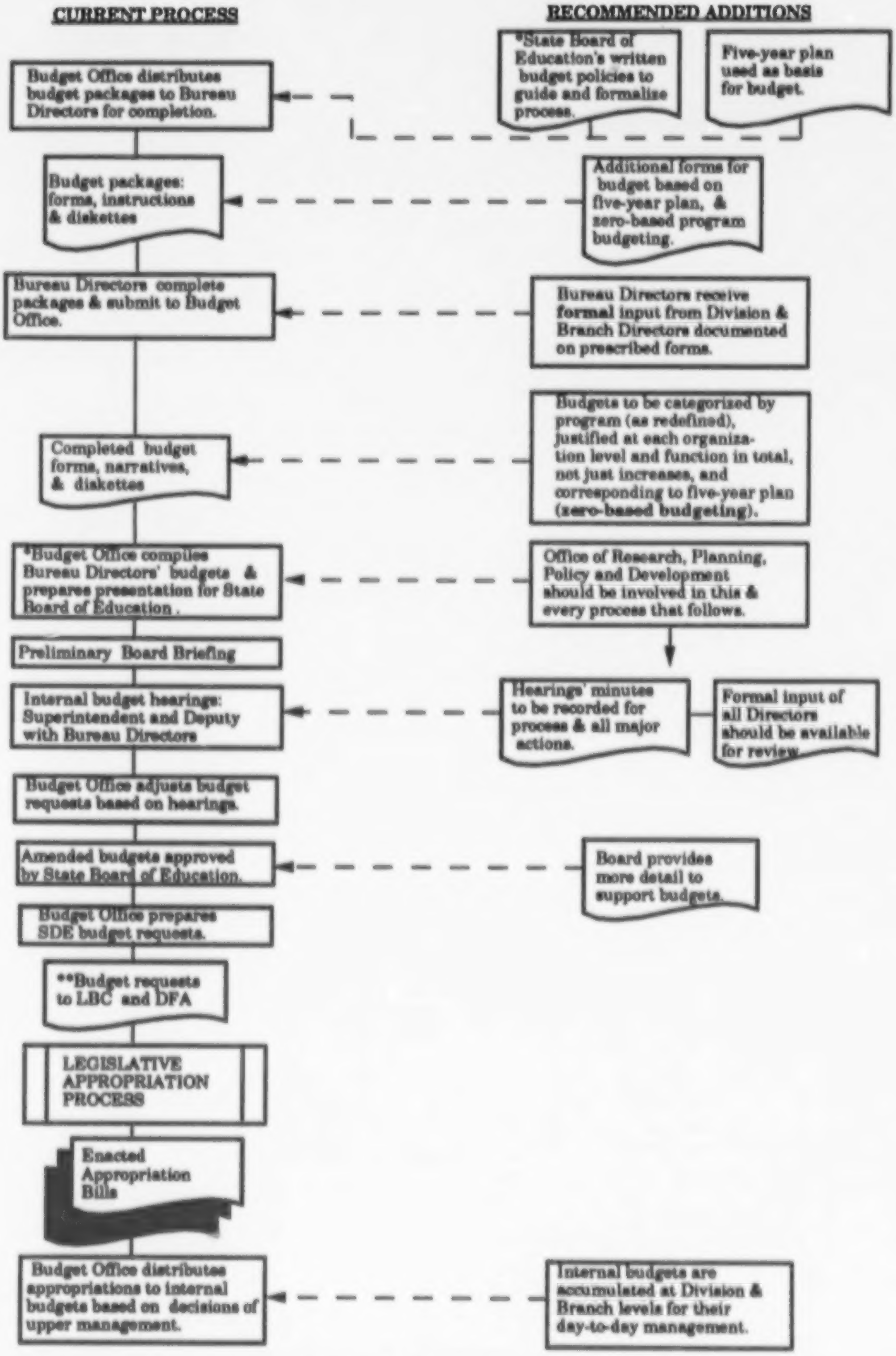
Vocational education:

1/2 teacher unit added to the district's allotment for each vocational teacher employed full-time in an SDE-approved vocational program

SOURCE: MISS. CODE ANN. Section 37-19-5 (1972)

EXHIBIT 12

SDE BUDGETARY PROCESS


CURRENT PROCESS
RECOMMENDED ADDITIONS
Budget Office distributes budget packages to Bureau Directors for completion.
*State Board of Education's written budget policies to guide and formalize process.
Five-year plan used as basis for budget.
Budget packages: forms, instructions & diskettes
Additional forms for budget based on five-year plan, & zero-based program budgeting.
Bureau Directors complete packages & submit to Budget Office.
Bureau Directors receive formal input from Division & Branch Directors documented on prescribed forms.
Completed budget forms, narratives, & diskettes
Budgets to be categorized by program (as redefined), justified at each organization level and function in total, not just increases, and corresponding to five-year plan (zero-based budgeting).
*Budget Office compiles Bureau Directors' budgets & prepares presentation for State Board of Education.
Office of Research, Planning, Policy and Development should be involved in this & every process that follows.
Preliminary Board Briefing
Internal budget hearings: Superintendent and Deputy with Bureau Directors
Hearings' minutes to be recorded for process & all major actions.
Formal input of all Directors should be available for review.
Budget Office adjusts budget requests based on hearings.
Amended budgets approved by State Board of Education.
Board provides more detail to support budgets.
Budget Office prepares SDE budget requests.
**Budget requests to LBC and DFA
LEGISLATIVE APPROPRIATION PROCESS
Enacted Appropriation Bills
Budget Office distributes appropriations to internal budgets based on decisions of upper management.
Internal budgets are accumulated at Division & Branch levels for their day-to-day management.

NOTES: * Budgeted programs should be redefined to actual SDE functions.
** Joint Legislative Budget Committee and Department of Finance & Administration.

SOURCE: PEER analysis of SDE procedures.

The absence in the law of a formula-based allocation procedure places a great deal of responsibility upon the Department of Education to develop administrative procedures that ensure control of teacher unit costs and deployment of resources to the local programs providing services of the highest priority.

The following sections describe the school finance methods currently used across the nation, compare some aspects of Mississippi's Minimum Program to funding programs employed by other states, and describe weaknesses in the provisions and administration of Mississippi's Minimum Program law.

State Public School Finance Programs

Of the three methods for determining the size of the student population, the average daily attendance method, which is the approach used by Mississippi and eleven other states, is the most complex in its record-keeping and reporting requirements.

Public school finance programs in the states generally consist of a local fiscal effort requirement supplemented by state equalization aid. Together, this local effort and state equalization aid make up the minimum or foundation amounts guaranteed by state funding programs. Some states further supplement these guaranteed amounts through flat or matching grants and permit additional local funding through locally approved "leeway" revenue. Federal funding is added to arrive at the total government revenue available to a district.

MINIMUM PROGRAM TEACHER UNIT FUNDING

For every teacher unit determined as described above, Minimum Program provides funds to pay one teacher in accordance with the Minimum Program salary schedule, which sets forth the required minimum salary for each level of certification and experience. Because funding for each teacher unit is based on the specific combination of certificate level and experience of the teacher actually hired to fill that teacher unit position, the actual cost of Minimum Program is not known until districts report on all teacher unit positions that have been filled and until the Department of Education compiles these reports and determines which teachers will be funded through Minimum Program. Of all teachers hired by a district, Minimum Program requires that those who are highest on the Minimum Program salary schedule be used as a basis for determining the Minimum Program funding to be provided to that district.

SOURCE: MISS. CODE ANN. Section 37-19-5 (1972)

Hawaii, which has a single state-funded and -operated public school system, is the only state with no local school districts and no local tax revenue for schools. Hawaii has no formula-based local allocation method.

Each of the forty-nine states with finance programs supporting local school districts uses one or more of the three available definitions of a pupil to calculate the size of the student population to be served. States define pupil units as pupils in average daily attendance (ADA), pupils in average daily membership (ADM), and enrolled pupils.

--*Average daily attendance (ADA)*: A district's ADA is its average pupil attendance over selected period. School districts compute average daily attendance for a period by dividing the number of days of student attendance (a cumulative sum of all students present each day over the period) by the total school days in the period. For example, if 200 students were present on the first day of the week, 205 the second day, 198, 203 and 200 on the third, fourth and fifth days, the average daily attendance for the week would have been 201.2 students (1,006 student days / 5 school days).

--*Average daily membership (ADM)*: A district's ADM is its average enrollment over a selected period. School districts compute average daily membership by dividing the number of days of student membership (i.e., enrollment) by the total school days in the period. For example, if 207 students were enrolled on the first, second and third days of the week and 206 on the fourth and fifth days, the average daily membership for the week would have been 206.6 students (1,033 student days / 5 school days). A district's average daily membership for a period is always equal to or greater than its average daily attendance for the same period because membership figures include all students, regardless of whether they were in attendance.

--*Enrollment*: Enrollment is a "snapshot" statistic that represents the size of the student population at one point, rather than over a given period. It is determined by counting the number of students enrolled on a given day. Some states use the district's enrollment on a certain date or dates in measuring units of need.

The complexity of the average daily attendance method is a result of its dependence on schools' reporting of daily pupil attendance to the state Department of Education. The current method requires that the schools and districts summarize and report information that would not otherwise be compiled. By contrast, the more widely used average daily membership method reflects daily changes in enrollment, but it does not require that the schools compile and report daily data on the attendance of each student in membership.

In addition to Mississippi, eleven states used the average daily attendance method for determining the size of the student population in 1987, the most recent year for which information was available. (See Exhibit 13, page 47.) An additional eleven states used enrollment. Twenty-seven states used the average daily membership method as the basis for allocation. (Missouri uses both ADA and ADM.)

- *In a 1990 review, PEER found that Mississippi's ADA auditing system is too limited to ensure valid and equitable distribution of Minimum Program funds.*

Mississippi's use of average daily attendance entails a high degree of data collection and reporting at the local level. The legislature established an average daily attendance auditing system to ensure the accuracy of average daily attendance figures used in determining and allocating the state public school support budget. In the 1990 report of this auditing system, entitled *A Review of the Design and Effectiveness of Mississippi's System for Auditing Average Daily Pupil Attendance*, PEER found that the system for auditing average daily attendance is too limited to ensure valid and equitable distribution of Minimum Program funds. The law places excessive reliance on arbitrary and unscientific pupil head-counting by personnel who, by law, cannot be required to be trained auditors. Also, PEER found that during the 1988-89 school year, the Office of the State Auditor failed to conduct a full six counts on 93 percent of the cases where overreporting may have occurred.

Of the two methods for allocating funds (the direct pupil unit method and the teacher unit method), Mississippi uses the less precise teacher unit method.

In establishing the foundation or guaranteed amount to be provided to the district through a state's foundation program, states use a variety of methods to determine a district's funding allocation. All states except Hawaii use one of two allocation units: direct pupil units or teacher units derived from pupil units.

- *Most states use the direct pupil unit allocation method.*

Forty-two states (84% of all states) use pupil units for determining local district fiscal need. These states multiply pupil units (ADA, ADM or enrollment) by a per-pupil funding amount to arrive at the dollar amount representing district need. They do not apply pupil/teacher ratios to convert pupil units to teacher units.

EXHIBIT 13

CLASSIFICATION OF ALLOCATION UNITS USED TO DISTRIBUTE STATE AID BY STATES
(For School Year 1986-87)

PUPIL UNITS			TEACHER UNITS		
AVERAGE DAILY ATTENDANCE	AVERAGE DAILY MEMBERSHIP	ENROLLMENT	AVERAGE DAILY ATTENDANCE - Base	AVERAGE DAILY MEMBERSHIP-Base	ENROLLMENT- Base
WEIGHTED:					
California Idaho Illinois Missouri * New York Oklahoma Tennessee Texas	Arizona Arkansas Florida Georgia Indiana Louisiana Massachusetts Missouri * Montana ** Nebraska New Hampshire New Mexico North Dakota Ohio Oregon Pennsylvania Rhode Island South Carolina South Dakota Utah Vermont Wisconsin	Iowa Kansas Minnesota Nevada West Virginia	Alabama Kentucky Mississippi	Alaska North Carolina Wyoming	Delaware Washington
Sub-Total: 8	Sub-Total: 22	Sub-Total: 5	Sub-Total: 3	Sub-Total: 3	Sub-Total: 2
NOT WEIGHTED:					
Colorado	Michigan Virginia	Connecticut Maine Maryland New Jersey			
Sub-Total: 1	Sub-Total: 2	Sub-Total: 4	Sub-Total: 0	Sub-Total: 0	Sub-Total: 0
TOTAL: 9	**TOTAL: 24**	**TOTAL: 9**	**TOTAL: 3**	**TOTAL: 3**	**TOTAL: 2**
TEACHER UNIT TOTAL: 42***			**TEACHER UNIT TOTAL: 8**		

* Missouri used an average of Average Daily Attendance and Average Daily Membership.

** Similar to Average Daily Membership.

*** Hawaii is not included; Missouri is counted in both Average Daily Attendance and Average Daily Membership.

SOURCE: American Education Finance Association and Virginia Polytechnic Institute and State University, Public School Finance Programs of the United States and Canada, 1986-87.

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- *Eight states, including Mississippi, convert pupil units to teacher units.*

Instead of using pupil units directly to arrive at need, these states first count pupils using one of the above methods (ADA, ADM or enrollment), then apply a ratio of pupils per teacher to arrive at teacher units. Mississippi applies ratios of 24:1 and 27:1 for grades kindergarten through 4 and 5 through 12, respectively, in arriving at *regular education* teacher units.

- *The teacher unit method for determining local need affords less precision in directing funds to districts on the basis of student need than does the direct pupil unit method.*

By applying lower pupil/teacher ratios to some program areas than to others, states can direct teacher resources to high-cost areas. For example, Mississippi uses a lower pupil/teacher ratio (i.e., requires fewer ADA units to generate a teacher unit) for the lower grades than for the upper elementary and secondary grades. This method of "weighting" units arose out of a recognition that some pupils need more teacher time than others.

In addition to the cost of teacher time, however, overall program costs are higher for some pupils, including handicapped and vocational students, than for other student categories. Weighting teacher unit allocations by applying certain pupil/teacher ratios may ensure smaller class sizes for some groups, but this weighting method does not ensure that the funding formula will be sensitive to the various programs' need for different levels of support in non-personnel areas, such as equipment and contractual services.

Also, Mississippi's practice of counting a single student multiple times in arriving at regular, vocational and special education teacher units contributes to the lack of precision of the teacher unit method as it is used in Mississippi. This practice obscures the actual costs of and resources used in serving the various student populations. (See finding on double counting of pupils, p. 61.)

States using the weighted pupil unit (instead of the teacher unit) method achieve greater precision by assigning cost-related weights directly to pupil units instead of applying pupil/teacher ratios to achieve higher funding levels for some student populations. These states weight pupils in recognition of the program-wide differences in costs associated with educating students with a variety of needs under a variety of circumstances. Nationally, these weights vary by grade level, education program (regular, special, vocational or compensatory education), population density and/or regional cost differences. By studying relative costs associated with services to various student populations, deriving cost factors for all populations and applying these factors to weight pupil units, states using weighted pupil units can estimate more precisely actual program costs and direct funds accordingly.

- *The weighted pupil unit method for directing resources to specific student populations has gained wider acceptance among the states in recent years.*

Possibly as a result of the lack of precision offered by the teacher unit method of allocating resources, more states have used the direct pupil unit method in recent years. From 1979 through 1987, the number of states using the pupil unit method increased by five (a 14% increase).

Of the forty-two states using direct pupil units instead of teacher units to fund public schools, thirty-five apply some form of pupil weighting. Only eight states convert pupil units of any type to teacher units, and of those states only three (6% of all states), including Mississippi, use ADA pupil units as a basis for determining teacher units. (See Exhibit 13, page 47.)

- *Florida's finance program provides an example of the use of weighted pupil units as a basis for funding.*

Florida's public school finance program is designed "*to base financial support for education upon the individual student participating in a particular educational program rather than upon the numbers of teachers or classrooms*" (Florida Department of Education, 1991). Florida assigns a weight of 1.000 to students in grades 4-8, the group for which service costs are lowest. On the basis of cost studies conducted by the Department of Education, Florida's funding formula assigns higher weights to students participating in special programs. For example, students classified as educable mentally retarded (one of Florida's fifteen exceptional student categories) are assigned a weight of 2.149 and students in vocational agriculture (one of ten vocational student categories) receive a 1.711 weighting.

To achieve greater precision, Florida's system requires that the school determine the portion of a student's time spent in each program and assign the appropriate weight to each portion of a full-time equivalent student. (One full-time equivalent student equals one student in membership in one or more programs for a school year.) Florida Department of Education personnel enter total weighted full-time equivalent student units into a formula that also includes a district cost differential factor, a declining enrollment supplement and a sparsity supplement to arrive at a district's total state and local funding need under the Florida Education Finance Program.

In addition to the cumbersome nature and lack of precision inherent in any ADA/teacher unit allocation system, the provisions and administration of Mississippi's Minimum Program law even further limit its precision by blurring lines among student and program categories. As a result of the problems described in the following section, the Legislature cannot exercise full control over all state expenditures because the Department of Education does not provide the Legislature with precise information on minimum funding needs for each program. The current system also is imprecise in directing resources to programs in accordance with the relative cost of each program.

Administration of the Minimum Program

The State Department of Education prepares the legislative budget request for the Minimum Program appropriation and administers the allocation of Minimum Program funds to the school districts. In its annual Minimum Program appropriation, the Legislature establishes maximum levels of expenditure for each of the following types of teacher units: regular, special, and vocational education. Exhibit 14 on page 51 contains a breakdown of these units and associated Minimum Program costs for the 1990-91 school year. Exhibit 15 on page 52 shows the percent change in number of teacher units by year and type for school years 1980-81 through 1990-91.

Mississippi's system of public school finance is sufficiently detailed in its requirements for keeping track of student attendance and using student attendance figures to compute regular education teacher units. However, Minimum Program provisions regarding funding for the special education and vocational education programs lack any such detail.

In the case of special education, the Minimum Program law (MISS. CODE ANN. Section 37-19-5) requires that:

> *one (1) additional teacher unit shall be added to the teacher unit allotment for each school district for each teacher employed in a State Department of Education approved program for exceptional children . . .*

In the area of vocational education, the same section states that:

> *one-half (1/2) of a teacher unit shall be added to the teacher unit allotment for each school district for each vocational teacher employed full time during the regular school term in a vocational education program approved by the State Department of Education.*

These provisions include no pupil/teacher ratios or program eligibility guidelines. Instead, they leave to the Department of Education

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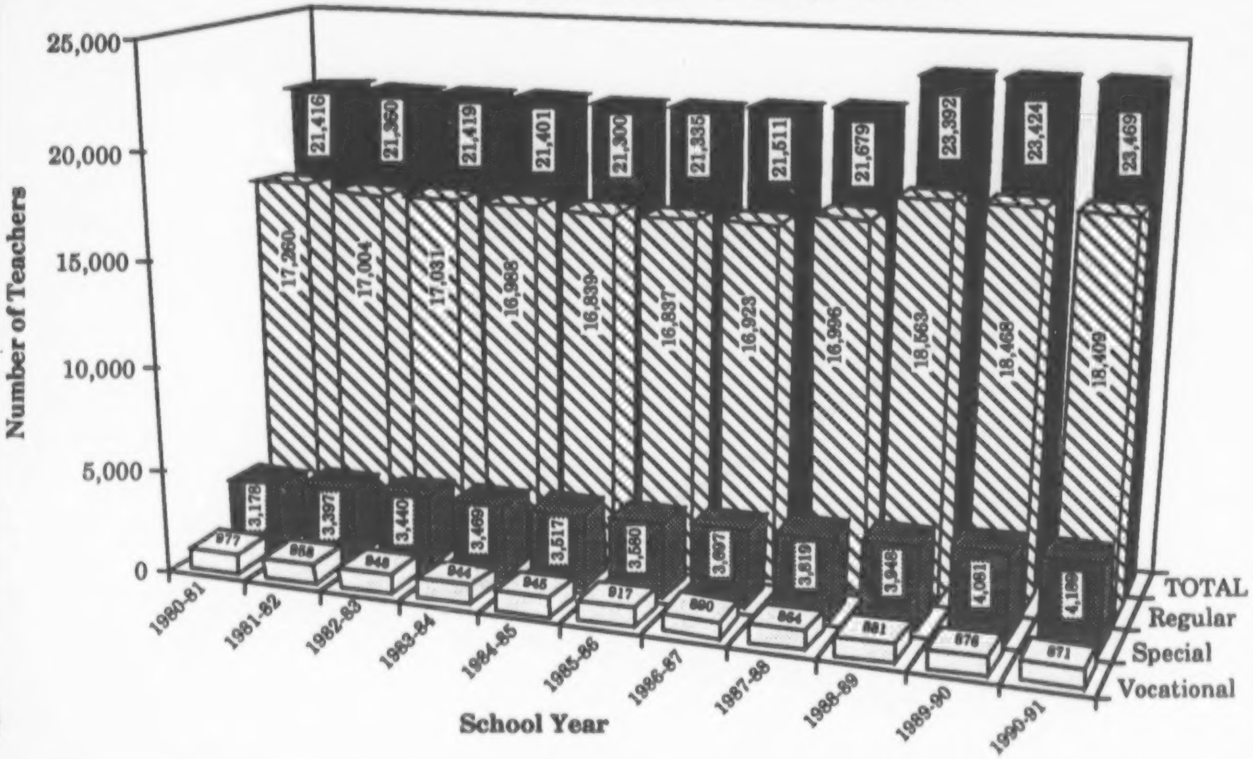
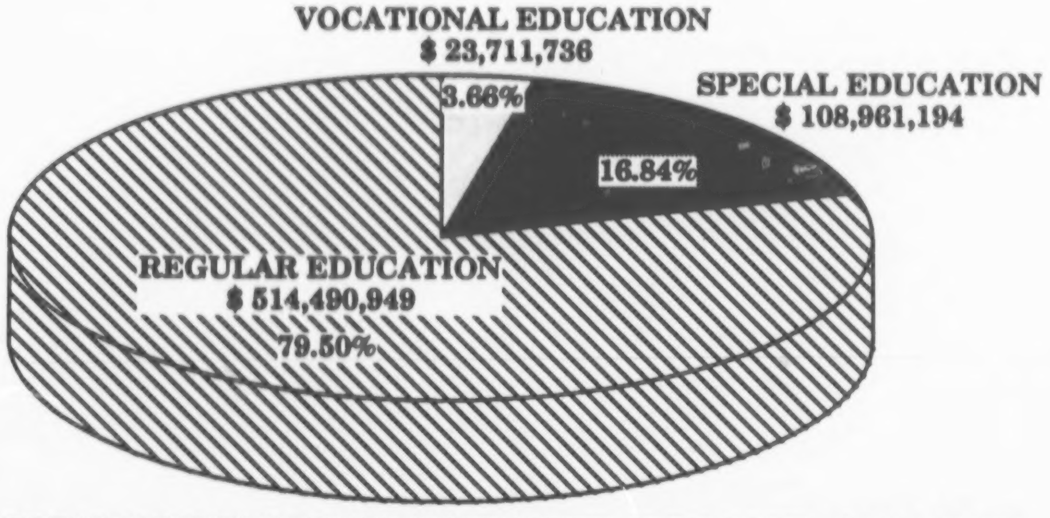
EXHIBIT 14

NUMBER OF MINIMUM PROGRAM (VOCATIONAL EDUCATION, SPECIAL EDUCATION AND REGULAR EDUCATION AND TOTAL) TEACHER UNITS BY YEAR
(For School Years 1980-81 Through 1990-91)



SCHOOL YEAR 1990-91 MINIMUM PROGRAM TEACHER SALARY COSTS FOR VOCATIONAL, SPECIAL AND REGULAR EDUCATION TEACHER UNITS
(Including Fringe Benefits)



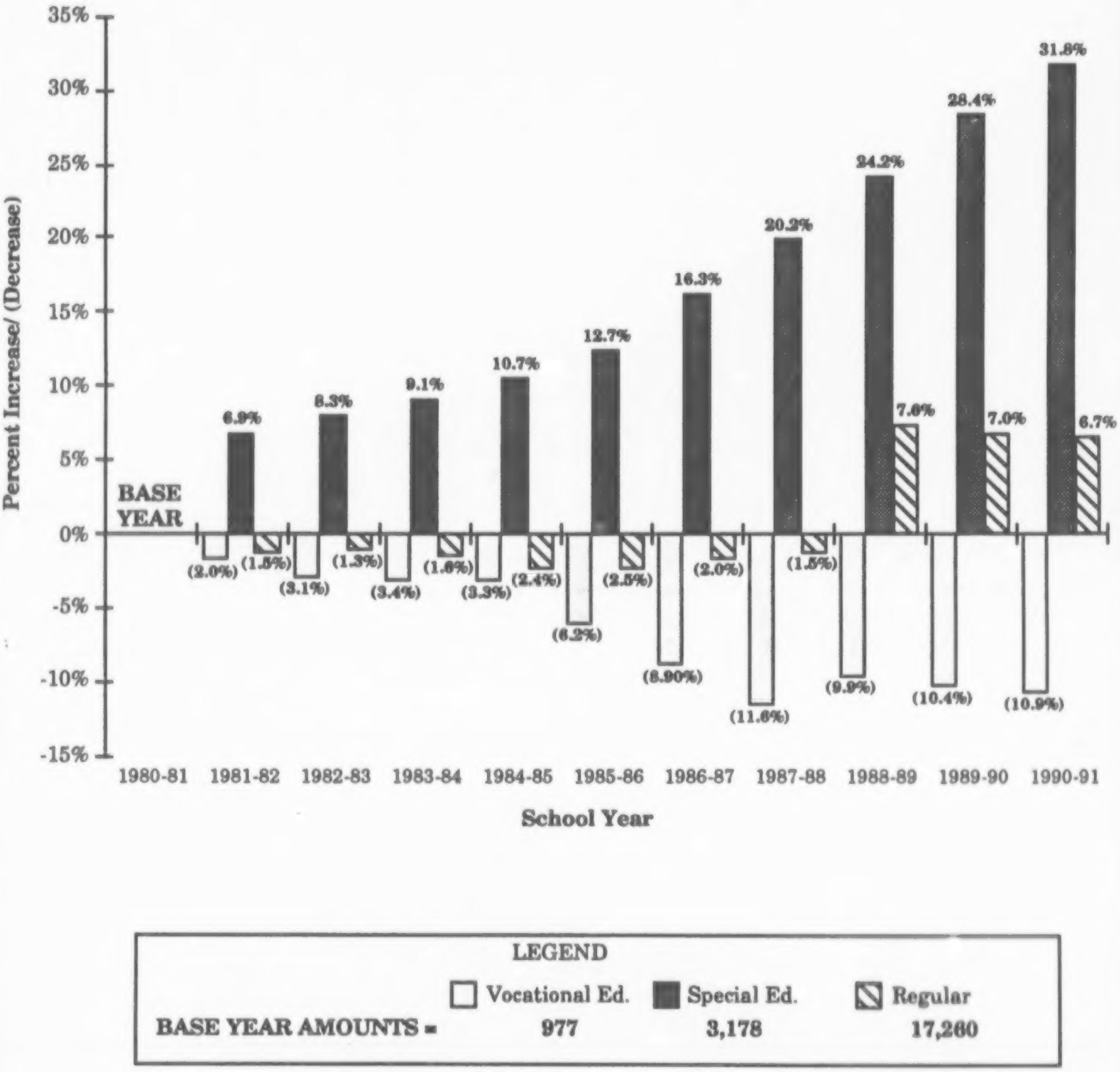
TOTAL MINIMUM PROGRAM TEACHER UNIT COST = $647,163,879

SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

EXHIBIT 15

PERCENT INCREASE/(DECREASE) IN MINIMUM PROGRAM VOCATIONAL, SPECIAL AND REGULAR EDUCATION TEACHER UNITS SINCE 1981

(For School Years 1981-82 Through 1990-91)



SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

the task of formulating guidelines for vocational and special education teacher unit allocations. The absence in the law of formula-based allocation procedure places a great deal of responsibility upon the State Department of Education to develop administrative procedures that ensure control of teacher unit costs and deployment of resources to the local programs providing services of the highest priority.

The following sections demonstrate the inadequacy of the Department of Education's response to this administrative responsibility.

Overlap in Pupil Counting in Mississippi's Minimum Program Funding Procedures

The title of Mississippi's current funding system may lead the Legislature to believe that it provides funding for the minimum number of academic teacher units needed to provide academic instruction, as implied by the term "Minimum Program;" yet, the districts' and the department's practice of double counting students receiving services from two programs instead of counting only the percentage of time the student spends in each program has resulted in the Legislature's annual appropriation to Minimum Program of funds for non-academic teachers and supplementary staff in addition to the minimum number of academic teachers. Overlap in student counting also has resulted in the Legislature's appropriation of special education teacher units in excess of the number that would have been generated were each student only counted fro the number of hours which he or she spends in the special education classroom. However, the fiscal effect of the practice of double-counting instead of prorating each student's time in each program cannot be considered an excess in funding at the local level if one considers ancillary instruction as part of a balanced education program. The problem is with precision in targeting funds using Minimum Program teacher units, rather than with the amount of funds districts generated for district use.

A Controlled System of Student Counting

A precise, well-controlled system of student counting for purposes of teacher unit funding would treat each child who receives instruction in more than one of the three major instructional programs (regular, vocational, and/or special) as one student and would generate teacher units based on the percentage of time the student spends in each program. If the various proportions of a student's use of all programs could be added to equal a full-time-equivalent pupil unit, legislators and administrators would know the precise size of the populations to be served by each program and districts ultimately could report on the full-time equivalent units of service delivered with program funds.

Overlap Among the Major Programs

However, local school districts and the Department of Education count *resourced* special education students, *gifted* students and vocational students multiple times, depending upon the number of programs from which the student receives services. As a result, the current system does not provide accurate information on program population size or on how many pupil units of service are provided by each teacher unit.

Because the Minimum Program law does not specifically prohibit overlap in counting, except in the case of *self-contained* special education students, SDE never has claimed to have the legal authority to discontinue the practice of double counting. However, the department clearly has full authority over some steps in the teacher unit allocation process related to student counting and teacher unit generation. These include ensuring the accuracy of district counts for all programs and accurately counting students within special education. Instead of strictly controlling pupil counting in these areas, SDE counts some special education students twice during the process of allocating special education teacher units. Further, SDE does not audit the districts' student counts aggressively in the areas of special and vocational education.

The current method for counting vocational, special, and regular education students for purposes of generating teacher units, though permitted by statute, is very imprecise for those students receiving services from more than one of these three major instructional programs. This imprecision results in a distorted picture of teaching resources needed in each of these instructional programs and results also in a lack of legislative control over the types of teachers and service personnel supported through Minimum Program teacher unit funds.

The primary effect of the districts' and department's practice of counting students toward more than one program can be seen in the additional teacher units that are generated beyond the minimum number of teacher units needed for basic academic instruction. The districts employ librarians and counselors, as well as teachers in subject areas such as music and art that are not part of the basic academic core (math, English, reading, social studies, science). However, Minimum Program funding was not originally intended to support these additional teacher units. The fact that the current system does not readily describe total costs or the types of teacher units funded in regular education and in special and vocational education illustrates the lack of precision available to the Legislature under the current system.

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- *Under the current system, one student may count as two or more pupil units.*

Currently, it is possible for one resourced special education student (a special education student who spends two or more periods, one of which must be academic, per day in the regular education classroom) enrolled in vocational education classes to count as a full-time student toward special education and regular teacher units and as a portion of a student for vocational teacher unit purposes. The system counts resourced special education students as if they spend 100% of their time in regular education by including these students as full pupil units in the ADA count that forms the basis for regular teacher unit allocations. The system includes no allocation procedure to account for their part-time status in the regular education program. In addition, the system counts these students as full-time special education students by creating a special education teacher unit for every eighteen resourced students by department policy. Similarly, the system considers vocational students full-time regular education students (even though they spend only a portion of their day in the regular education classroom) and part-time vocational students.

The state's "minimum" funding responsibility for regular teacher units under the Minimum Program law (MISS. CODE ANN. Sections 37-19-1 through 53) includes only one teacher unit per twenty-four primary or twenty-seven intermediate and secondary students in average daily attendance (ADA). Special education and vocational education teacher unit funding were superimposed on the ADA-based regular teacher unit funding structure without reducing regular education entitlements accordingly, with one exception. This exception involves self-contained special education students, who are not counted for Minimum Program regular teacher unit purposes because the law excludes them from the ADA count used in generating regular teacher units (MISS. CODE ANN. Section 37-19-5 (1972).

As a result of the overlap in counting students for regular education and special program purposes, the system provides additional resources beyond the "minimum" number of teacher units prescribed for regular education. This occurs to the extent that special and vocational students who are included as full-time students in regular ADA counts (thus generating regular teacher units) are away from the regular education classroom. (See p. 57 for additional information on Minimum Program support of ancillary and non-academic staff.)

Although the regular ADA pupil unit overlap with resourced special and vocational education pupil units (Item 1 below) is the most serious example of the imprecision of the current Minimum Program system, several other student counting practices contribute to the system's failure to reflect actual student placement. The following problems related to overlap in student counting affect the distribution of Minimum Program funding.

1. The districts count resourced special education students (students who spend most of their day in the regular education classroom, but some portion of the day in special education), gifted and vocational education students as full-time students in the regular education program, even though these students spend a portion of their day in programs outside the regular education program. As a result, the districts receive more than the "minimum" number of regular education teacher units.

2. The districts count self-contained special education students (students who spend most of their day in special education, but some portion of the day in regular education) as special education students only. State law does not permit the districts to count these students toward generating regular education teacher units. However, these students actually spend part of their day in the regular education classroom. As a result, districts must devote regular education resources to these special education students even though they receive no credit for these students in generating regular education teacher units. Conversely, the current system does not subtract from the special education teacher unit allocation the share of time that self-contained special education students spend in the regular education classroom. As a result, the districts receive fewer than the "minimum" number of regular education teacher units and more than the "minimum" number of special education teacher units.

3. The districts count resourced special education students (students who spend most of their day in the regular education classroom, but some portion of the day in special education) and gifted education students as full-time special education students, even though these students spend a portion of their day outside these special education programs. As a result, the districts receive more than the "minimum" number of special education teacher units.

- *The budgetary consequences of the current method of counting students in multiple programs are significant.*

Although the Department of Education's records did not provide a basis for a precise calculation of the cost of each area of overlap, PEER used available data to develop a preliminary estimate of the fiscal effect of the school year 1989-90 overlap in student counting related to Problem 1 above (arriving at higher ADA-based regular teacher units by counting vocational, resourced special education and vocational students as full-time regular ADA pupil units). Based on the methodology detailed in Appendix G on page 200, PEER estimated that during the 1989-90 school year, school districts and SDE double counted a total of 74,800 students receiving services from more than one program (42,752 *disabled*, 15,716 gifted, and 16,332 vocational FTEs) by counting them once in regular ADA, and again in special or vocational education without prorating the amount of time spent in each program. Students counted in average daily attendance as well as another program generated an estimated 2,933 regular education teacher units at a minimum program cost of $81.4 million. This amount represents the fiscal effect of the districts' and Department of Education's practice of double counting vocational, resourced special education and vocational students toward regular ADA, thereby generating more than the "minimum" number of regular education teacher units (one teacher unit for every 24 or 27 students in full-time average daily attendance).

Because the 74,800 students in PEER's estimate were counted as full pupil units within the special education, gifted and vocational education programs, PEER based its estimate on the assumption that counting these students in regular ADA represented 100% overlap and developed the $81.4 million estimate accordingly. PEER does not assert, however, that these 74,800 students used no regular education teacher resources.

Because the existing system does not require the local districts to record and report the portion of a full-time student generating and using resources in each major program (regular, special and vocational education), the department has no data base for arriving at a more precise estimate of the cost of Item 1 above or for determining the full cost of overlap in Items 2 and 3 above. More precise record-keeping at the local level would be needed to accurately measure the full extent of the additional funds (i.e., the amount appropriated beyond the "minimum" prescribed for regular education) that are generated as a result of the overlap in counting regular, special and vocational education students.

- *Districts use teacher unit funding produced by overlap in pupil counting to support non-academic and supplementary staff.*

The districts use the excess of regular education teacher units generated by counting students for more time than they spend in the regular education classroom in order to hire art, physical education, music, and other non-academic teachers and to hire ancillary personnel such as librarians and counselors.

Having generated additional teacher units using the overlap process, districts use the leeway provided by another provision of the Minimum Program law to maximize their use of the teacher units they are allocated. That provision permits districts to increase the number of students per teacher beyond the 24:1 and 27:1 ratios used to generate teacher units. Class size may be as large as 27 students in grades 1 through 4 and 30 students in grades 5 through 12 without special permission. This leeway amounts to approximately 7% (24 students in ADA = 25 enrolled students at a 94% attendance rate; 27-student maximum class size - 25 students enrolled per teacher unit = 2 additional students served per teacher unit; 2 / 27 = 7% of students = those served by a regular academic teacher but available for generating additional teacher units). That is, assuming that the regular academic program requires one teacher for every 27 to 30 students, a district using the maximum class sizes would have approximately 7% of its teacher unit allocation available to hire non-academic teachers. Added to this would be the teacher units generated by resourced special education students, gifted students and vocational education students, who receive regular education services during only a portion of the day.

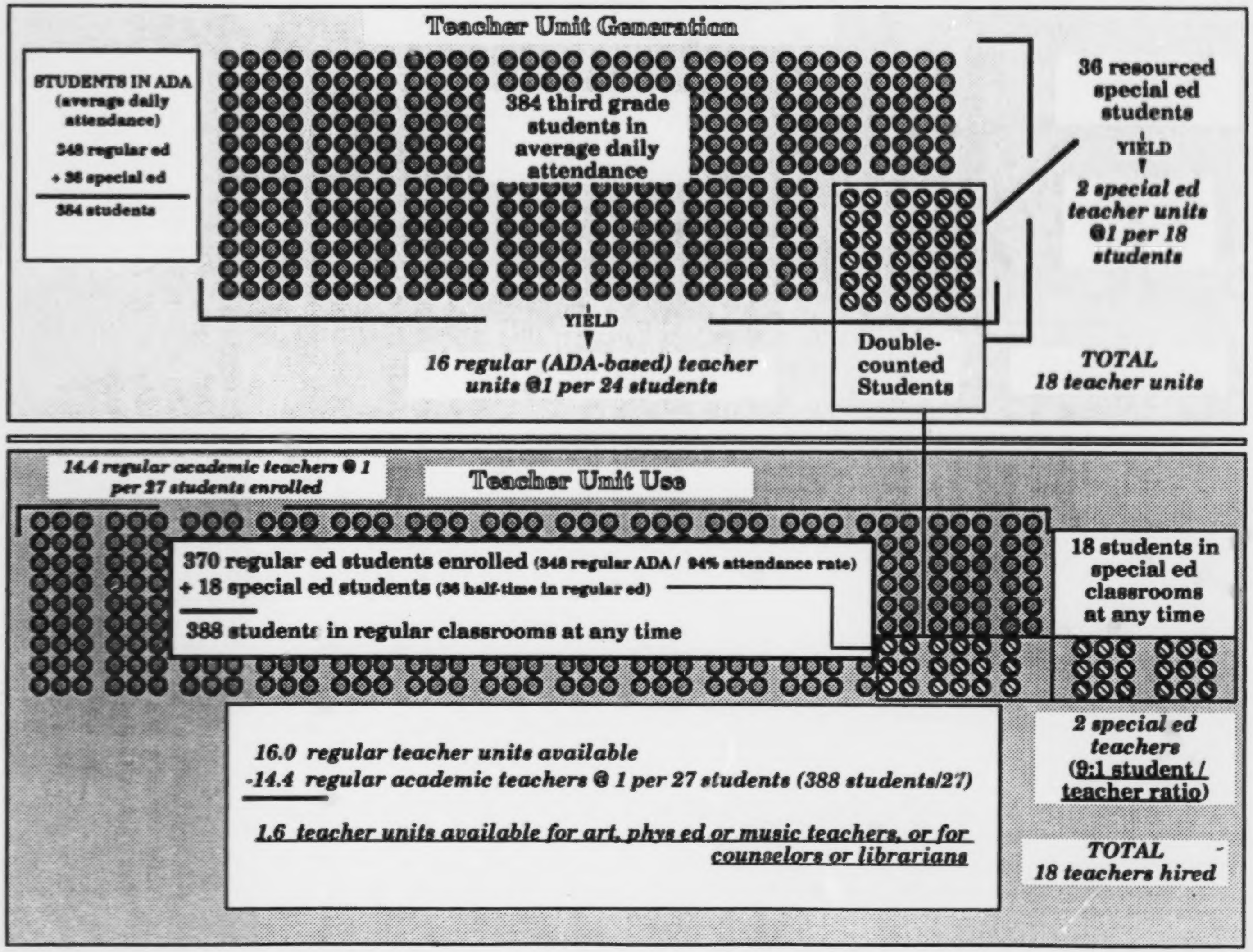
Exhibit 16, page 59, illustrates the combined effect of overlap in counting resourced special education students and district use of the higher student ratios. In this example, the 384 third-graders in average daily attendance (including 36 resourced special education students) would generate 16 regular teacher units, as well as two special education teacher units. However, the 370 enrolled regular education students (348 in average daily attendance / .94 attendance rate) and the 18 resourced students present in the regular classroom at any given time (half the 36 resourced students) would need 14.4 teacher units to comply with class size limits ([370 regular education students + 18 resourced students]/maximum of 27 students per teacher = 14.4 teachers). This would leave 1.6 teacher units (10% of the 16 teacher units allocated) available for hiring non-academic teachers, counselors and librarians.

Although the Legislature and the public may believe that local funds supported virtually all of the districts' 3,472 art, music and physical education teachers, counselors and librarians in FY 1991, the state general fund actually provided support for a portion of these teacher units through the class size leeway and the overlap in counting described above. If the example in Exhibit 16 were typical (i.e., if approximately 10% of the 18,409 regular teacher units allocated to the districts in FY 1991 had been available for hiring non-academic teachers, counselors and librarians), funding for approximately 1,841 (53%) of the districts' 3,472 art, music and physical education teachers, counselors and librarians would have been provided directly through Minimum Program regular ADA teacher units. Of those 1,841 teacher units, the availability of approximately 920 teacher units (50% of the 1,841 teacher units made available through the leeway provision and double-counting) for use outside the basic academic program would have been attributable to the class size leeway provided by the Minimum Program law. The availability of the remaining 50% of these teacher units would have been attributable to the practice of double-counting resourced special education students. These figures do not include the additional teacher units that would have been made available to the regular education program as a result of double-counting gifted and vocational students.

The effect of the additional special education teacher unit funding (i.e., allocation of more special education teacher units than justified by the number of hours spent by students in the special education classroom [Problems 2 and 3 above]) leads to lower student/teacher ratios than those ratios which the department uses to generate special education teacher

EXHIBIT 16

EFFECT OF DOUBLE-COUNTING RESOURCED SPECIAL EDUCATION STUDENTS AND LEEWAY IN RATIOS:
SCHOOL DISTRICTS HAVE ENOUGH MINIMUM PROGRAM REGULAR ADA TEACHER UNITS FOR NON-ACADEMIC TEACHERS AND ENOUGH SPECIAL EDUCATION TEACHERS FOR LOWER STUDENT/TEACHER RATIOS


Teacher Unit Generation
STUDENTS IN ADA (average daily attendance)
348 regular ed
+ 36 special ed
384 students
384 third grade students in average daily attendance
YIELD
16 regular (ADA-based) teacher units @1 per 24 students
Double-counted Students
36 resourced special ed students
YIELD
2 special ed teacher units @1 per 18 students
TOTAL 18 teacher units
14.4 regular academic teachers @ 1 per 27 students enrolled
Teacher Unit Use
370 regular ed students enrolled (348 regular ADA / 94% attendance rate)
+ 18 special ed students (36 half-time in regular ed)
388 students in regular classrooms at any time
18 students in special ed classrooms at any time
16.0 regular teacher units available
-14.4 regular academic teachers @ 1 per 27 students (388 students/27)
1.6 teacher units available for art, phys ed or music teachers, or for counselors or librarians
2 special ed teachers (9:1 student / teacher ratio)
TOTAL 18 teachers hired

SOURCE: PEER Analysis of Mississippi Department of Education Data Collected from the School Districts; MISS. CODE ANN. Section 37-19-5.

units. In the example illustrated by Exhibit 16, the 18:1 student/teacher ratio used by the Department of Education in allocating special education teacher units for services to resourced special education students would have been reduced to 9:1 in actual practice by the presence of only half of the resourced special education students in the special education classroom at any one time. (Page 83 contains a discussion of the observation that Mississippi has more special education teachers per 10,000 special education students than the southeastern average.)

SDE's system of counting students receiving services from more than one program results in failure to allocate resources based upon need as driven by time spent by these students in each type of instructional program. However, the problem is with precision in targeting funds using Minimum Program teacher units, rather than with the amount of funds generated for district use. It is clear that some districts are in deep financial distress, as evidenced by the number of districts (10 [7%] of the state's 151 districts) with financial deficits in FY 1991. The current system funds positions such as art, music, and physical education teachers, guidance counselors, and librarians, which many districts could not afford to support with local funds but which are important components of a balanced educational program. In some cases these positions are even required for compliance with state accreditation standards.

Deficiencies in Special Education Pupil Counting

Special education is instruction individually designed to meet the unique needs of children who cannot function socially, emotionally, and/or educationally in a *regular education* classroom and who meet the State Department of Education's criteria for *disabled*. Special education programs serve children ages three to twenty-one. Mississippi's Bureau of Special Services, the State Department of Education entity responsible for special education programs, also oversees the state's programs for *gifted* students. "Special education" teacher units include teacher units for providing services to gifted as well as disabled students.

Mississippi's gifted students fall into one or more of the following three sub-categories: *intellectually gifted, academically talented,* and *gifted in the visual and performing arts*. For the 1986-87 school year, the most recent year of published gifted student data available in the U.S. Department of Education's *Digest of Education Statistics 1990,* Mississippi reported 14,145 gifted and talented students, 2.8% of the state's total enrollment. The average of the forty-four states reporting gifted student data was 4.4% of total enrollment. The 1990 *Digest* did not contain a breakdown of gifted students by sub-category.

Mississippi's students with disabilities fall into one or more of the following ten sub-categories: *developmentally delayed* (ages three to five only), *deaf/blind*, *educationally handicapped* (mentally retarded), *emotionally handicapped*, *hearing impaired*, *language/speech impaired*, *multi-handicapped*, *physically handicapped*, *specific learning disabled*, and *visually impaired*. For the 1988-89 school year, Mississippi reported 58,283 students with disabilities, 11.7% of the state's total enrollment. Nationwide, students with disabilities represented 11.3% of total enrollment.

Exhibit 17 on page 62 shows the percentage of total students with disabilities, by sub-category, for Mississippi and nationwide during the 1988-89 school year. In an unduplicated count (a count in which each student is included only once even if he or she qualifies for more than one category of disability), the three sub-categories of specific learning disabled, language/speech impaired, and educationally handicapped (mentally retarded), contained 89% of Mississippi's total disabled student population and 77% of the disabled student population nationwide. The two sub-categories where Mississippi shows the greatest *variance* from the nation are language/speech impaired (29.7% in Mississippi versus 21.3% nationwide) and emotionally handicapped (0.4% in Mississippi versus 8.3% nationwide.

School year 1990-91 Minimum Program expenditures of $108.9 million for special education teacher units represented 16.84% of school year 1990-91 Minimum Program expenditures for teacher salaries and fringe benefits (see Exhibit 14, page 51). Special education teacher units for that year totalled 4,189, consisting of approximately 3,645 (87%) teacher units for serving disabled students and 544 (13%) teacher units for serving gifted students.

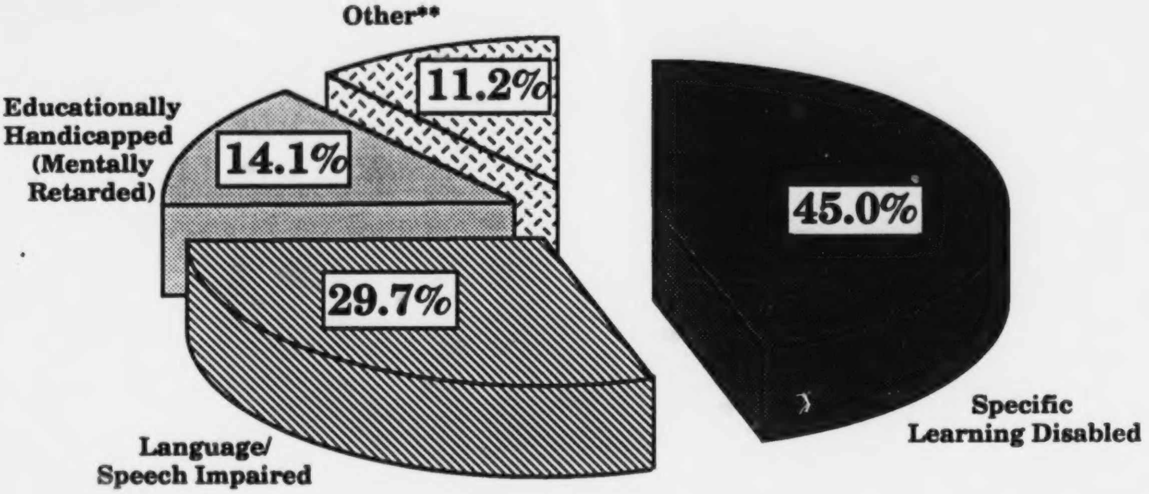
The State Department of Education's method of counting special education students for funding purposes is flawed by imprecision, an absence of valid verification procedures and inadequate control over classification of students as resourced special education students, a category in which double-counting with regular education is permitted.

In February of each year, as the first step in the Minimum Program special education teacher unit allocation process, each district sends its request for special education teacher units to the State Department of Education, supported by a school-by-school count of its special education students by category of disability and type of placement (i.e., whether *resourced* or *self-contained*). The State Department of Education allocates teacher units to each district based upon this February count, and allocates additional teacher units until October 15 as schools report additional students to justify these units. A discussion of problems with this method of counting special education students follows.

EXHIBIT 17

MISSISSIPPI AND NATIONWIDE DISTRIBUTIONS* OF STUDENTS WITH DISABILITIES BY SUB-CATEGORY
(For School Year 1988-89)

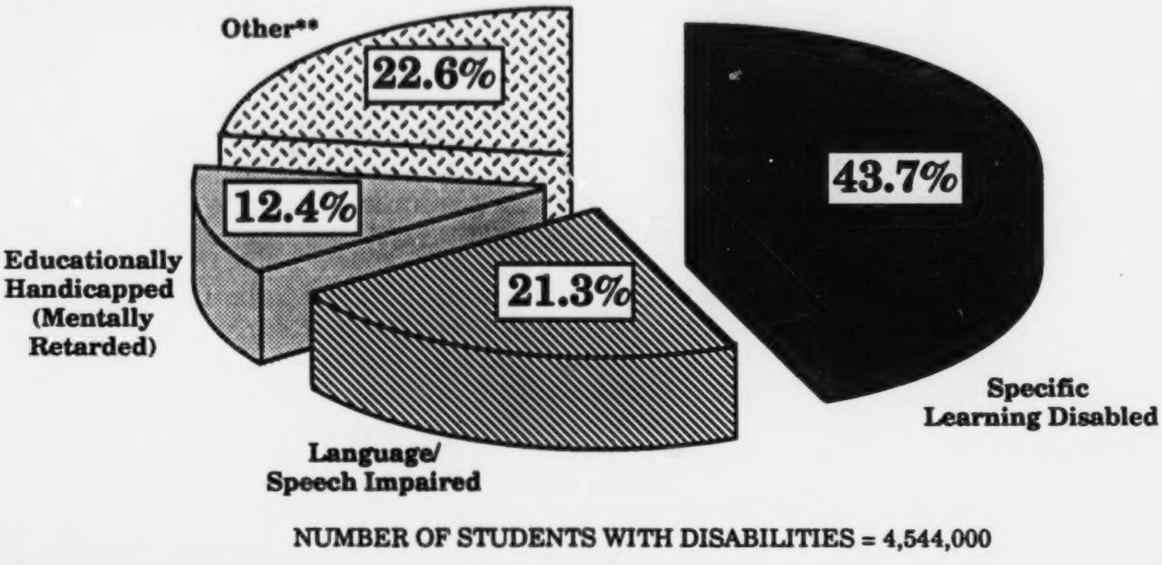
MISSISSIPPI



NUMBER OF STUDENTS WITH DISABILITIES = 58,283

SOURCE: Mississippi State Department of Education December 1 Child Count Data

NATIONWIDE



NUMBER OF STUDENTS WITH DISABILITIES = 4,544,000

* Distributions are based on unduplicated counts of disabled children.

** **Other** includes Emotionally Handicapped, Preschool Handicapped, Physically Handicapped, Hearing Impaired, Visually Impaired, Multi-handicapped, and Deaf-Blind.

SOURCE: Compiled by PEER staff from data contained in the *Digest of Education Statistics*, February 1991, U. S. Department of Education, Office of Educational Research and Improvement , NCES 91-660.

- *The State Department of Education counts some students more than once toward special education teacher units.*

The February 15 count which the State Department of Education receives from the districts for purposes of teacher unit allocations counts some children more than once; however, the department does not require districts to report the extent of duplication in this count. Therefore, the Department of Education cannot report the number of individual special education students who generate its special education teacher unit allocation.

The State Department of Education allows the schools to "double count" in the category of language/speech impaired. Schools can count a child as one under specific learning disabled and also as one under language/speech impaired, but there are no summaries of how many children the schools are double counting in this manner. A former State Department of Education monitor stated that some schools "use" the language/speech impaired designation to obtain additional special education teacher units because many children who are educationally handicapped are also eligible for language/speech services. The Department of Education's failure to collect an unduplicated count of the special education population as a basis of its teacher unit allocation weakens its control over the number of special education teacher units needed to serve these students.

- *The State Department of Education does not base its teacher unit calculations on actual time spent by students in the special education classroom. While state law does not require the department to base its special education teacher unit allocation on the actual time spent by students in the special education classroom, this would be a much more precise method of allocating state resources.*

The February 15 count only includes total number of students by teacher. The form does not show how many hours each student is in the special education classroom and the actual workload of the special education teacher. At the end of the teacher unit allocation process, when the Department of Education approves actual special education teachers for allocated teacher slots, the department takes into consideration instructional time by reviewing a period-by-period list of each special education teacher's special education classes; however, at this point there is no attempt to compare the class sizes on this list with the sizes which generated the original allocations. This review cannot result in the Department of Education's decreasing the number of teacher units allocated to districts with extremely small class sizes because the department receives and reviews the information only after it has allocated teacher units to the districts and after the districts have filled their teacher unit slots. It is feasible that a teacher with eighteen students on the roll could have several periods when, for example, only four children are present in the classroom. The remaining students may be in regular and non-instructional (as opposed to special education) classes during those class periods.

- *The State Department of Education bases its teacher unit allocation on a one-time student count, amended for additional students but not for student deletions.*

The State Department of Education bases its special education teacher unit allocation on the one-time February 15 count, and adds teacher units subsequent to February 15 if a district provides data to show that its special education student population has increased. Use of a one-time count which districts amend at their discretion tends to inflate teacher units. Between February 15 and October 15, the Department of Education allows districts to increase their allocations by amending their counts as justification for additional teacher units. While a district's special education population may decrease over this period, there is no adjustment of teacher units downward since it is up to the districts to inform the Department of Education of the decrease, which they are not likely to do.

- *The State Department of Education does not adequately audit the number of special education students which districts report to the department.*

Reliance on District-Generated Numbers--The only information which the Department of Education receives from districts regarding special education children is student counts, by class, handwritten by the districts. The districts are not required to attach class rolls as documentation for the student numbers submitted.

The State Department of Education requires each district superintendent to sign a "Statement of Assurances" regarding the class-by-class counts certifying that the disabled students counted on the class data sheets:

-- have a current Mississippi eligibility ruling,

-- have a current *individualized education plan*, and

-- are being provided a free appropriate public education in a special education class/program.

It is possible that the penalty for submitting falsified attendance reports would be applicable here (MISS. CODE ANN. 37-19-53) because the intent of that law is to punish superintendents who knowingly submit incorrect average daily attendance reports for purposes of increasing their Minimum Program allocations.

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The State Department of Education's sole method of verifying the disabled student counts submitted annually by the districts is an audit step included in the Bureau of Special Service's five-year program review monitoring cycle. This step, #171 of the Part B (program) monitoring instrument, directs the State Department of Education monitors to determine whether there was a file in the special education contact person's office containing a February 15 teacher-by-teacher listing of students. The monitoring instrument then directs the monitors to review the teacher listings to make sure that each student included was eligible at the time of the February 15 count, had a current individualized education plan, and was placed in a special education program.

The Department of Education's monitoring procedure has several flaws. The department only monitors thirty of the state's 151 districts each year. The department operates on a five-year monitoring cycle and looks at districts, not individual schools. The department informs the districts as long as a year in advance of their upcoming review, giving the districts more than ample time to conduct a more careful count during review years. Step #171 is in itself a lengthy step and only one of 119 other Part B program monitoring steps. (The step is listed as #171 because Part A and Part B monitoring instruments are numbered consecutively.) Given that the monitors spend an average of three days in each district reviewed, the monitors do not thoroughly perform this step at each school. Further, Step #171 does not even require the monitors to check whether the individualized education plan calls for the student to be resourced or self contained, an important element in calculating teacher units since the latter classification has a lower student/teacher ratio and therefore results in more teacher units.

Failure to Utilize Available Count Data for Auditing--The State Department of Education does not perform adequate on-site verifications of district special education student counts, nor does the department thoroughly review and verify class-by-class student count data used in calculating teacher units by analyzing and comparing all special education student count data available to it. One major shortcoming in this regard is the department's failure to computerize the February class-by-class child count data it uses in determining teacher unit allocations. By not requiring the districts to submit their data on tape, or entering the data onto computer once it arrives in the Department of Education's offices, the department deprives itself of a valuable analytical tool in detecting cases of questionable trends in the numbers. By analyzing percentage increases by district over time, the department could be alerted to unusual growth and thereby focus its auditing efforts.

Also, the State Department of Education collects other special education child count data (e.g., district monthly attendance reports indicating the number of self-contained special education children, December 1 federally mandated child count reports) which the State Department of Education staff could cross check against February class-by-class counts to verify the February counts; however, the State Department of Education does not presently conduct such cross checks. [Note: During the course of PEER's review, the Bureau of Special Services developed a form which it was beginning to use to cross-match data. Refer to Appendix H, page 202, for a copy of this form.]

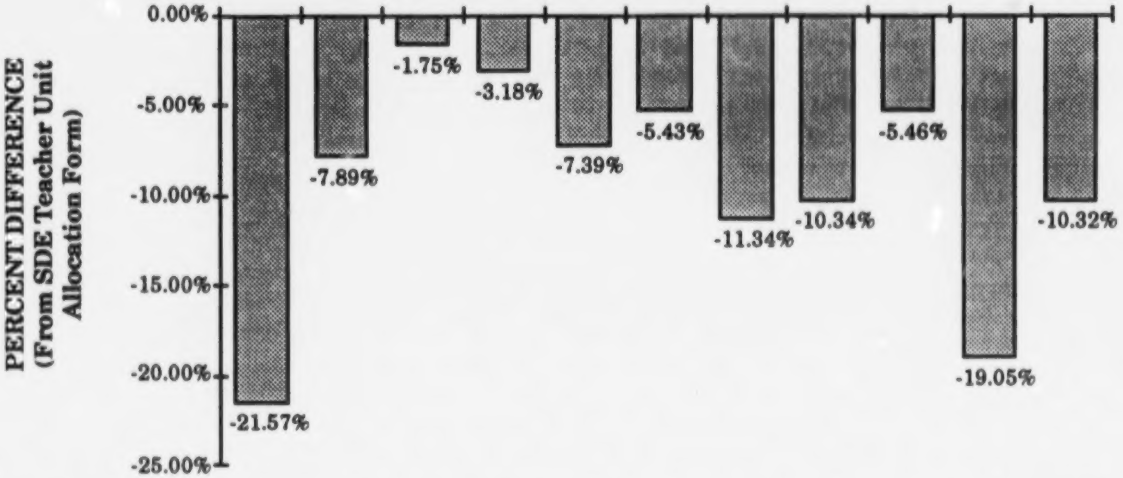
PEER found significant differences when attempting to match February 15 class-by-class count data to these other sources of special education child count data (the federally mandated December 1 child count and monthly district attendance reports), for a random sample of ten school districts for the 1989-90 school year. As shown in Exhibit 18 on page 67, using February class-by-class child count data as the base, December child count data ranged from 1.75% to 21.57% lower with an average of 10.32% lower for all ten districts combined. Some districts in the sample reported considerably more special education students on the State Department of Education form which generates special education teacher units than on the federally mandated child count form the same districts had submitted less than two months earlier. Some of the difference could be due to identification of additional special education children between December and February, and some could be explained by the fact that the December count includes each special education student only once and the February count counts some students more than once. An auditor would have to conduct sample site visits at the time when these reports are filed in order to determine which, if either, count is correct.

The section on classification of special education students as "resourced" or "self-contained," beginning on page 55, contains a more detailed discussion of the comparison between the February 15 class-by-class count of special education students (which includes a breakout of "self-contained") and the February district attendance report, which includes a membership count of self contained special education students. Monthly attendance reports counts ranged from 70% less than SDE teacher unit allocation form counts in one district to 30.3% more in another district. For all ten districts combined, the monthly attendance report showed 15.45% fewer students than SDE's teacher unit allocation form. Two districts matched exactly on their counts of disabled students who are self contained. However, in cases where the counts are different, the Department does not conduct its own counts to determine which of the counts is correct or if both counts are incorrect. It is logical to assume that a district attempting to manipulate the data would tend to over-classify students as "self-contained" on their February 15 class-by-class teacher request forms, as the self contained student/teacher ratio is lower than the resourced student/teacher ratio (i.e., would generate more special education teacher units), and to under-classify students as self-contained on their monthly attendance reports, since only resourced students count towards regular Average Daily Attendance (i.e., generate regular teacher units).

EXHIBIT 18

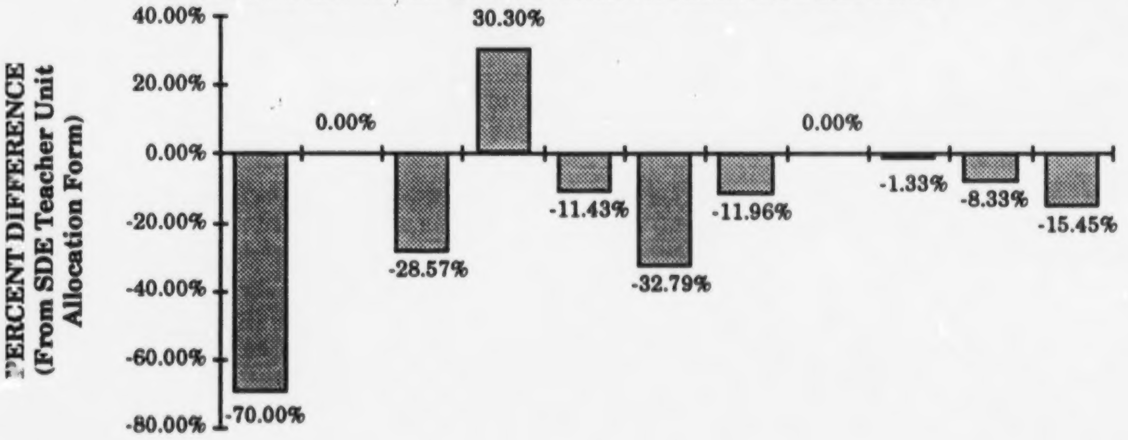
DECEMBER 1989 VERSUS FEBRUARY 1990 SPECIAL EDUCATION CHILD COUNTS REPORTED TO THE SDE BY TEN RANDOMLY SELECTED DISTRICTS IN RESPONSE TO FEDERAL MANDATE AND STATE REQUIREMENTS

DECEMBER 1989 FEDERAL CHILD COUNT DATA -VS- FEBRUARY 1990 STUDENT COUNTS ON REQUEST FOR TEACHER UNIT ALLOCATION FORM



DISTRICT	1	2	3	4	5	6	7	8	9	10	TOTAL
TU Allocation Form - Feb. 1990	612	317	57	346	866	258	582	116	293	168	3,615
Federal Count - Dec. 1989	480	292	56	335	802	244	516	104	277	136	3,242
Difference	132	25	1	11	64	14	66	12	16	32	373

FEBRUARY 1990 SELF-CONTAINED SPECIAL EDUCATION STUDENTS REPORTED ON REQUEST FOR TEACHER UNIT ALLOCATION FORM -VS- FEBRUARY 1990 SELF-CONTAINED SPECIAL EDUCATION STUDENTS REPORTED ON MONTHLY ATTENDANCE REPORTS



DISTRICT	1	2	3	4	5	6	7	8	9	10	TOTAL
TU Allocation Form - Feb. 1990	100	86	21	66	175	61	92	12	75	24	712
Monthly Attendance Report - Feb. 1990	30	86	15	86	155	41	81	12	74	22	602
Difference	70	0	6	-20	20	20	11	0	1	2	110

SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

No External, On-site Audit of Special Education Count Data--Not only does the State Department of Education do an inadequate job of auditing its special education student counts, but there is minimal external review of the count. The statute requiring the Department of Audit to audit average daily attendance does not require that department to perform a comprehensive, independent count of all special education students for the purpose of verifying district counts. Because self-contained special education students must be excluded from regular ADA counts, the State Department of Audit attempts to verify district counts of self-contained special education students. However, there is no legal requirement for verifying the number of resourced special education students. The U.S. Department of Education site visits each state every six years and only stays for a week. Its most recent Mississippi review was in 1987, when federal reviewers conducted site visits at only two schools. It will be at least 1992-93 before the U. S. Department of Education returns to Mississippi. Even if the federal auditors do sample check the December 1 counts, which generate federal dollars, it is unlikely that they would detect the differences mentioned above because they would not audit the February counts, which are used only to generate state funds.

- *The SDE has not adequately controlled the classification of special education students as resourced special education. The significance of this lack of control is that SDE and the Minimum Program law permit the counting of "resourced" special education students toward both special and regular education teacher units.*

MISS. CODE ANN. Section 37-19-5 (1972), subsection 3 excludes "self-contained" (as defined by the State Department of Education) exceptional children from being counted in average daily attendance. The number of children in average daily attendance drives the allocation of regular teacher units. PEER found nothing in the law to preclude the counting of "resourced" special education students or gifted students from the average daily attendance count. In practice, the State Department of Education does count these two categories of students in average daily attendance. Because these exceptional students generate regular education teacher units as well as special education teacher units, they are "double counted." The argument for allowing these students to generate full regular and special education Minimum Program teacher unit funding is that there must be classroom space available as well as a teacher who is not overloaded in terms of class size whenever these students are in either the special or regular classroom setting. (See finding beginning on page 54, which addresses deficiencies in this argument.) The argument for excluding "self-contained" special education students from average daily attendance is that they are not in the regular classroom long enough to justify being counted towards a regular teacher unit.

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The self-contained exclusion contained in MISS. CODE ANN. Section 37-19-5 (1972) has presented an accountability problem ever since it was passed in 1977. The manner in which the State Department of Education chooses to define "self-contained" has a significant impact upon the number of children who will fall into this category, and hence the number of students who generate both special and regular education Minimum Program teacher unit funding. State law gives the State Department of Education complete discretion to define the term.

Since passage of the exemption, the State Department of Education has developed two definitions of "self-contained," both of which have generated numerous questions to the State Department of Education from districts regarding which courses can and cannot be counted in defining a child as resourced or self-contained. The first definition of self-contained allowed special education children who had no regular academic instruction to count as "resourced." By including as "resourced" very low functioning students whose only involvement in regular education was non-academic, this definition created a comparatively large pool of special education students who were legally generating both regular and special education teacher units.

In March of 1978, the State Superintendent of Education redefined "self-contained" so that students who attended no academic regular education classes would be considered "self-contained" instead of "resourced."

In an internal State Department of Education memorandum dated March 17, 1983 the State Superintendent indicated that the department was continuing to have problems with districts correctly identifying and reporting "self-contained" special education students in their attendance reports.

During the late 1980s, the Director of the Bureau of School Support began attempting to match data which the Bureau of Special Services annually reports to the federal government on the number of students in each district in separate classes to the number of students which the districts were reporting as "self contained" on their average daily attendance counts. This comparison sparked intensified concern over the average daily attendance reports as many of the numbers were significantly disparate.

In conducting these comparisons the department is comparing data from different points in time: December for the Bureau of Special Services data, and September and March for the average daily attendance counts. The department also compares data based on two different definitions of "self-contained." ADA enrollment data is supposed to be based on the the State Department of Education definition, while the Bureau of Special Services data is based on a narrower federal definition of "separate class."

Although a much more precise data match is available to the State Department of Education in terms of comparing the February 15 class by class count of self-contained special education students to the February ADA report indicating total self-contained students, the Bureau of Special Services told the Bureau of School Support to use the data which is not as comparable.

Summary--Fourteen years after passage of the "self-contained exemption," the districts are still having problems accurately reporting the number of self-contained students. As reported in an internal Department of Education memorandum from the Director of the Bureau of School Support to the Associate State Superintendent:

> *The "saga" of comparable counts of special education self contained reported on the monthly ADA reports and number of children meeting the self contained definition reported to our special education office continues.*
>
> *You will recall that we have asked the State Department of Audit ADA monitoring staff to assist us this year. They have been going to the special education supervisor's office in the superintendent's office to get the special education count and are using that number when they attempt to count a school district's ADA. They are calling attention to the school principal when there is a discrepancy. I was to monitor the 1991-92 number against the 1st month ADA reports. We thought things would be better-- and in some districts they are. Some numbers have changed in some of the districts. However, in my opinion, there are still some obvious problems remaining in some districts...*
>
> *Why do I continue to push this matter? Section 37-19-5(3) states: "... exceptional children enrolled in a self-contained class, as defined by the State Department of Education,* ***shall not be counted in average daily attendance when determining the regular teacher unit allocation."*** (Emphasis added)

This memo demonstrates concern on the part of personnel outside the Bureau of Special Services about the extent of counting "self-contained" special education students toward both regular and special education teacher units who by law should only count toward special education teacher units. However, it also shows the department's failure to date to resolve this problem through more effective auditing and through imposition of sanctions for districts that persist in misclassifying special education students.

Insufficient Controls Over the Allocation and Funding of Special Education and Vocational Education Teacher Units

In addition to its authority over some aspects of student counting for funding purposes, the SDE also has full authority over other procedures for generating teacher units within special education and vocational education, including program approval and development and application of pupil/teacher ratios in these areas. The following section describes areas other than pupil counting in which the department has failed to develop and implement procedures to adequately control costs and ensure funding of only the local programs of the highest priority.

Special Education Funding

The State Department of Education could have more tightly controlled Minimum Program special education teacher unit expenditures during the decade of the 1980s.

During the decade of the 1980s, Mississippi spent $763 million in Minimum Program funds on special education teacher units. During this period, Mississippi's special education teacher units grew at a faster rate than any other category of teacher unit and Mississippi's disabled student population grew at a rate significantly faster than the national rate. While some of the growth in special education teacher units over the decade of the 1980s is attributable to factors outside of the department's control, such as federal expansion of the populations which the public school system must serve (e.g. preschool disabled) and terms of a consent decree referred to as "Mattie T.," which set forth specific criteria and procedures designed to ensure that the state comply with the intent of federal laws regarding special education, some of the growth is attributable to factors within the control of Mississippi's State Department of Education.

While the majority of special education students generate both regular and special education teacher units and some generate all three types (refer to finding on page 54), this section focuses on the generation of special education teacher units.

PEER's concerns related to special education teacher units include the following:

--While regular education Minimum Program teacher units increased by 6.7% over the decade of the 1980s and vocational education Minimum Program teacher units declined by 10.9%, special education teacher units increased by 31.8% from 3,178 in school year 1980-81 to 4,189 in school year 1990-91.

--Federally mandated expansions of eligible populations (e.g., the inclusion of three- and four-year-olds) explains some of the growth in Mississippi's special education teacher units. However, factors that the State Department of Education could have controlled but did not, including lack of proper counting of students and lack of sufficient auditing of student numbers (described on page 64), and comparatively low student/teacher ratios, may also explain some of the growth.

--The consequence of failure to audit adequately and control the components of special education teacher units is the possible inflation of these units at a Minimum Program salary and fringe benefit cost of $26,011 per special education teacher unit (FY 1991).

--There are many alternatives for serving the state's students in need of special education. The Legislature could spend more on regular education and provide assistants to help students with special educational needs in the regular classroom setting.

Growth in the Size of the Special Education Population

- *Special education teacher units grew at a faster rate than vocational and regular teacher units over the decade of the 1980s.*

Exhibit 15 on page 52 contains a breakdown of the percent increase since the 1980-81 school year in Minimum Program teacher units by type for school years 1980-81 through 1990-91. As the exhibit illustrates, special education teacher units experienced the largest increase over the decade (31.8%), followed by regular education (6.7%) and vocational education (a decline of 10.9%).

- *Mississippi's disabled student population grew at a faster rate than the national disabled student population over the decade of the 1980s.*

Mississippi's population of students with disabilities increased by 29.9% between 1980 and 1989 while the nation's disabled student population increased by 9.7% (refer to Exhibit 19 on page 73.) As further evidence of Mississippi's high relative increase in its handicapped student population, the Tenth Annual Report to Congress on the Implementation of the Education of all Handicapped Children Act, released in 1988, reported that Mississippi, Florida, and Vermont were the three states with the highest percentage increases (greater than four percent) from 1985-86 to 1986-87 in children counted under Chapter 1 of the Education Consolidation and Improvement Act of 1981, Section 554, and the Education of the Handicapped Act (EHA-B,20 U. S. C. 1401, 1411 et seq.), currently the Individuals with Disabilities Act (IDEA).

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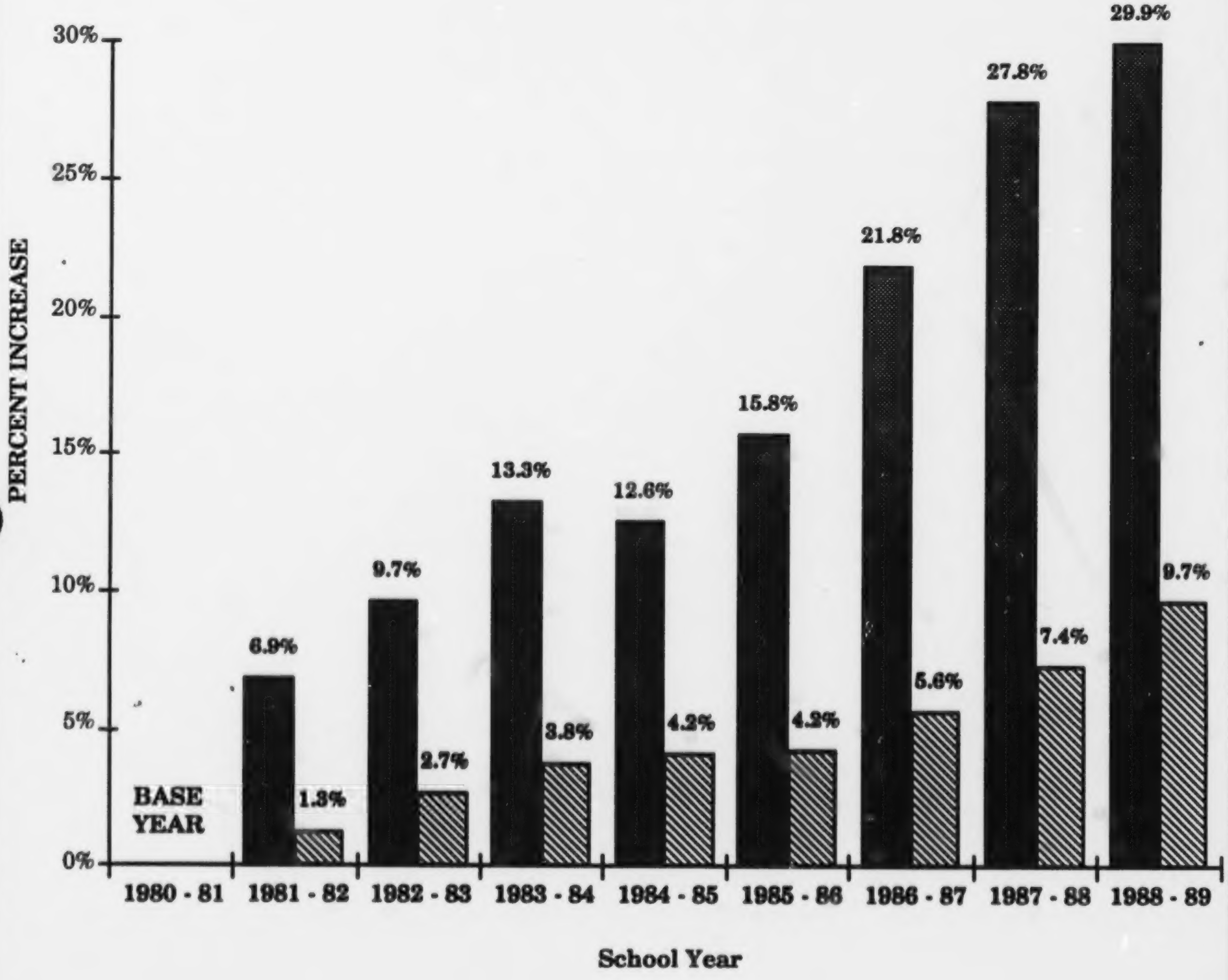
EXHIBIT 19

MISSISSIPPI VERSUS NATIONWIDE PERCENT CHANGE IN POPULATION OF STUDENTS WITH DISABILITIES SINCE SCHOOL YEAR 1980-81

(For School Years 1981-82 Through 1988-89)



	■ MISSISSIPPI	▨ NATIONWIDE
1980-81 Base Year Amounts	44,852	4,142,000

SOURCE: Compiled by PEER Staff from data provided by the State Department of Education.

The Associate Director of the National Association of State Directors of Special Education offered several possible reasons for the nationwide increase in special education populations over the decade of the 1980s. She cited as the primary reason the federal government's initiative during this period to extend coverage of the Individuals with Disabilities Act to three- and four-year-old (preschool) children with disabilities. In addition to the influx of three- and four-year-olds into the system, she suggested the following factors may explain the national increase in the size of the special education population.

--autism and traumatic brain injury: In 1990 Congress amended the Education of the Handicapped Act to specify autism and traumatic brain injury as separate categories of disability. While the original act clearly included students with these disabilities, the action of separately classifying them may have increased advocacy for and identification of children with these particular disabilities. She also noted that there has been an increase in the medical knowledge concerning the effects of traumatic brain injury.

--better identification: The Associate Director also noted that during this period systems improved for reporting children with disabilities. Special education staff had better diagnostic tools. Parents and educators had more information and greater awareness of disabilities that impact school performance.

--more children with handicapping conditions: She said society is producing more children with disabilities through increased poverty, reductions in the availability of both pre- and post-natal health care, and adverse environmental conditions such as increased parental drug abuse.

--redirection of mental health dollars from children's services to deinstitutionalized adult populations on the belief that special education dollars would serve children in need of mental health services. The result of the reduction of mental health dollars available for child services is that the social/emotional problems of children who could have received *community-based* assistance through mental health programs eventually became so severe that they qualified for special education as a consequence of the lack of early *intervention* services.

--reduction in funding for regular education: According to the Associate Director, this purported reduction resulted in the closure of many educational support services such as tutoring and remedial reading, whose purpose was to assist students with learning difficulties. As a consequence, many children who could have remained in regular education with special assistance instead were eventually referred for special education, as this is the major or only resource still available.

With respect to growth in specific categories of disability over the decade of the 1980s (refer to Exhibit 20 on page 76), Mississippi experienced significantly higher than national growth rates in its specific learning disabled and language/speech impaired populations and experienced a greater percentage decrease in its educationally handicapped population than the nation. At both the state and national levels, the growth rate in the specific learning disabled population exceeded that of any other sub-category. These rates were 136% for Mississippi and 35.9% nationwide. With respect to the sub-category of language/speech impaired, Mississippi's population increased by 16.8% while the nation experienced a 17.2% decline.

- *The State Department of Education anticipates a significant increase in gifted special education teacher units funded through Minimum Program as a result of recent changes in state law.*

In its FY 1993 budget request, the State Department of Education projected a 27% increase in Minimum Program gifted teacher units between FY 1990 and FY 1993. This translates into a $4.2 million increase in Minimum Program costs consisting of approximately $522,000 for support services and $3.7 million for salaries and fringe benefits.

The Department based its prediction on the assumption that all schools will fully implement the Mississippi Gifted Education Act of 1989 (MISS CODE ANN. Sections 37-23-171 through 37-23-181) by the beginning of the 1992-93 school year. This assumes that every school will have in place special programs for gifted children in grades 2 through 12.

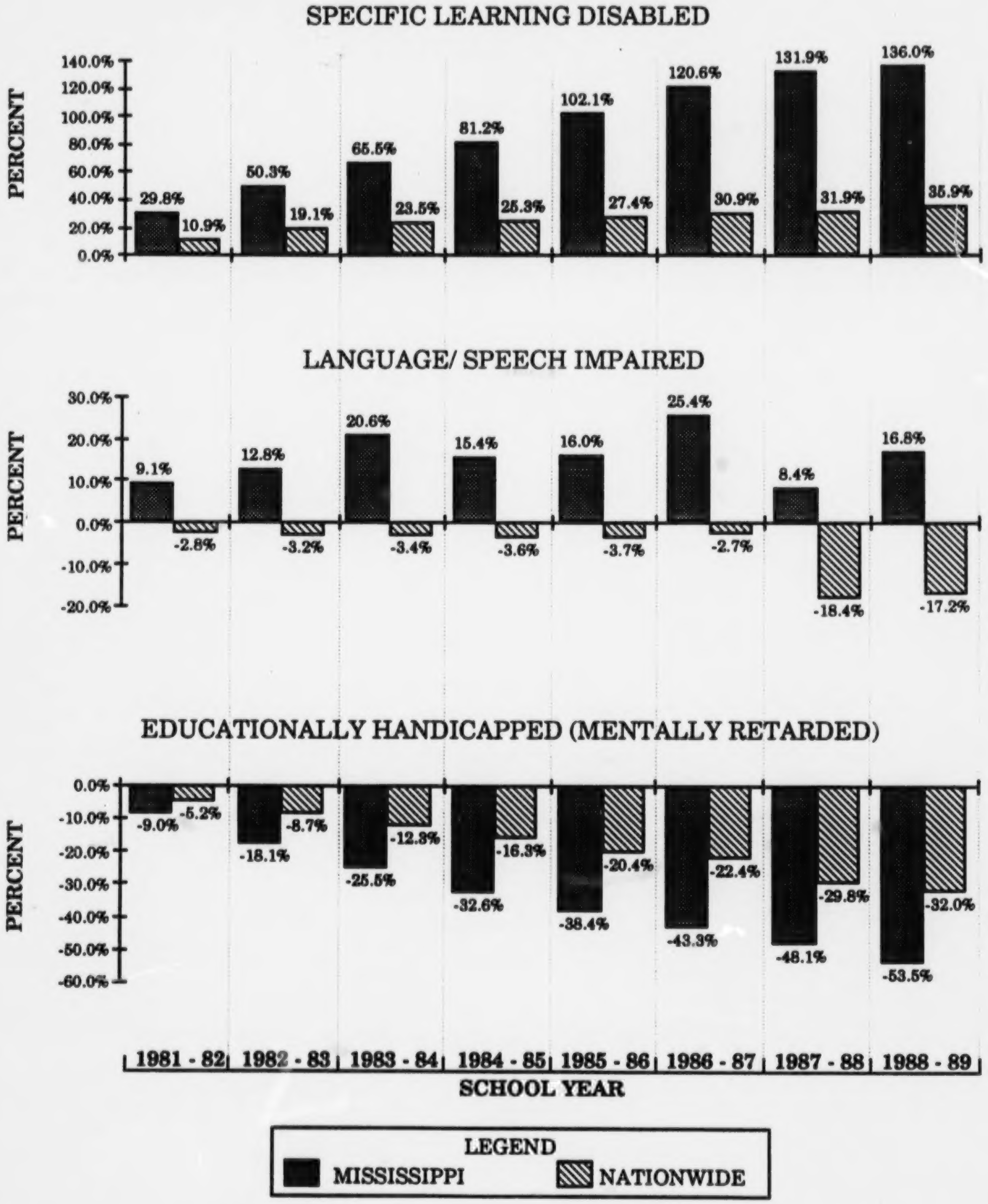
The Legislature has full discretion over the costs of implementing the state's Gifted Education Act of 1989. First, there is no federal mandate for this program. While there are federal laws governing the education of students with disabilities there are no such laws governing the education of gifted students. Further, subsection 3 of MISS. CODE ANN. Section 37-23-179 stipulates that districts must implement their gifted programs by the 1992-93 school year, *provided sufficient funds are appropriated by the Legislature for that purpose.* In past appropriations the legislature has included funding for gifted program teacher units within the special education teacher unit salary and fringe benefit line of the Minimum Program appropriation. The legislature can control the number of gifted teacher units funded through the Minimum Program by establishing a separate maximum expenditure for gifted teacher units, instead of combining the appropriation for teacher units for the disabled and the gifted.

Also, the Mississippi Gifted Education Act of 1989 does not contain an operationalized definition of "gifted children." The act simply states that gifted children are children who are found to have an exceptionally high

EXHIBIT 20

MISSISSIPPI VERSUS NATIONWIDE PERCENT CHANGE IN NUMBER OF SPECIAL EDUCATION CHILDREN IN SELECTED CATEGORIES OF DISABILITY SERVED SINCE SCHOOL YEAR 1980-81

(For School Years 1981-82 Through 1988-89)



SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

degree of intellect and/or academic ability. This language and the authority the act grants to the State Board of Education to "*promulgate rules, regulations and guidelines*" for implementing the act provide the board with a great deal of discretion over the size of the population to be served through programs for the gifted and over the accompanying Minimum Program funding request.

SDE's Inadequate Control over Growth in Teacher Units in the 1980s

- ***States have discretion over criteria which they use to qualify students for special education.***

The federal government mandates broad categories of disabilities which public schools must serve through special education programs. While the categories of disabilities included in the mandate have not changed since passage of the Education of the Handicapped Act in 1976, the ages of children covered by the act have. The federal government provided incentives during the 1980s and eventually a mandate which went into effect in September of 1991 for states to expand their special education services to include three- and four-year-old children with disabilities.

The federal government has left to the discretion of the states the specific criteria which state departments of education use to place students in the federally mandated sub-categories. Through these criteria, state departments of education have a great deal of control over the number of students qualifying for special education.

Staff of the U.S. Department of Education informed PEER that state departments of education have the authority and responsibility to develop their own criteria for each category of disability without content input from the federal government. Because Mississippi's criteria is part of a consent decree known as Mattie T.,* any changes to the criteria would be subject to judicial approval.

One example of the impact which a state's criteria for a certain disability can have on the number of children classified with that disability is Mississippi's experience with the federally mandated category of "emotionally handicapped." As previously mentioned, in Mississippi students with this type of disability represent only 0.4% of the total state special education population, while emotionally handicapped students nationwide represent 8.3% of the total national special education population. The Director of Mississippi's Bureau of Special Services attributed the difference to Mississippi's more restrictive criteria for this category of disability. Specifically, she said the criteria which many states use result in inclusion of students with behavior disorders (e.g., conduct disorders such as defiance), while Mississippi's criteria do not include such students. Because the federal definition for emotionally handicapped (as for most other categories of disability) is broad, it is up to the states, through the criteria they adopt, to determine who should be served under the federal government's mandate that students with "serious" emotional problems receive special education services.

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* The Mattie T. consent decree, issued on January 26, 1979, settled a lawsuit filed on behalf of everyone in the class by a student with cerebral palsy who had been misclassified as mentally retarded. The case resulted in the development of criteria for the classification of students and the implementation of control procedures to make less likely an error in classification. Also, as a result of the decree, the state re-categorized many "mentally retarded" students.

Another example of the impact which a state's criteria for a federally mandated category of disability can have on the size of that state's disabled student population is Mississippi's criteria for "specific learning disabled." The federal mandate for serving children with specific learning disabilities states (34 CFR 300.5(9)):

> *"specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.*

Pages 70 A and B of the Mississippi Department of Education's "Referral to Placement Process Manual" specify Mississippi's criteria for qualifying a child under this broad definition, a portion of which follows:

> *A student may be determined to have a specific learning disability if: (1) the student does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in Number (2) below when provided with learning experiences appropriate for the student's age and ability levels: and (2) the multidisciplinary team finds that a student has a severe discrepancy between achievement and intellectual ability (is achieving less than could be expected according to ability). . .*
>
> *. . .When comparing academic and intellectual functioning using scores from instruments with identical means and standard deviations, the standard score of achievement is subtracted from the intelligence score to determine if the difference is equal to or greater than* ***one standard deviation*** [emphasis added] *of the tests. . .*

Exhibit 21 on page 80 shows a comparison of the method which seventeen states use to operationalize "severe discrepancy" between achievement and intellectual ability.

Mississippi's State Department of Education modeled its specific learning disabled definition after Texas' definition. Mississippi's use of one standard unit of measure (*standard deviation*) difference to define "severe discrepancy" is a more inclusive definition of the term "specific learning disabled" than that which at least eleven other states use. The Mississippi *criterion* places more children in the category of specific learning disabled than criteria such as those used by Georgia, which in part define "severe discrepancy" as a twenty point discrepancy between achievement and intelligence scores (equivalent to 1.33 standard deviation units). Georgia claims that its specific learning disabled criteria, which went into effect in 1984, represent an attempt to identify children with true learning disabilities versus those who are simply low functioning. Since Georgia changed its criteria, its specific learning disabled population has declined by 29%. During the period preceding the change in criteria this population had grown by 12% (from 1980 to 1984).

While specific learning disabled populations have increased nationwide, the inclusiveness of Mississippi's criteria is in part responsible for the high comparative growth rate in the state's specific learning disabled population over the decade of the 1980s. Between the 1980-81 and 1988-89 school years, the nationwide specific learning disabled population increased by 35.9% while Mississippi's specific learning disabled population increased by 136%. Using more restrictive criteria would reduce the state's sizeable specific learning disabled population and consequently the number of teacher units assigned to serve this population.

The State Department of Education is aware of the unusually high growth rate associated with the state's specific learning disabled population. In a March 1988 Bureau of Special Services internal memo the State Board of Education directed the Bureau of Special Services to work to improve the "large growth in the specific learning disabled program." While the Bureau of Special Services has considered changing its specific learning disabled criteria, it had not taken any specific action in this regard at the time that PEER drafted this report.

In summary, the Legislature should be aware that the State Department of Education has the authority to alter its criteria for qualifying students for the various categories of disability mandated by Congress, subject to judicial approval per the Mattie T. consent decree. The Department also has the authority to alter its criteria for qualifying students as gifted pursuant to state law. The department can use this authority to reduce the size of the population eligible for special and gifted education services, subject to judicial approval in the case of services to the disabled.

EXHIBIT 21

MEASURES OF DISCREPANCY BETWEEN ACHIEVEMENT AND ABILITY USED BY SEVENTEEN STATES IN RULING A CHILD ELIGIBLE FOR SPECIFIC LEARNING DISABLED (SLD) SERVICES

More inclusive--->Less inclusive
(more students eligible) (fewer students eligible)

Standard Deviation (SD) Units of Measure between Achievement and Ability Required for Eligibility for SLD Services

1 SD	1 to 1.5 SD	1.5 SD	2 SD
MISSISSIPPI	Georgia	California	North Dakota
Nebraska	Indiana	Connecticut	Ohio
North Carolina	West Virginia	Maine	
Oklahoma		Maryland	
Tennessee		Vermont	
Wyoming		Washington	

SOURCE: Cecil D. Mercer, Ann Mercer, and Peggy King-Sears, "Learning Disabilities Definitions and Criteria Used by State Education Departments," University of Florida, 1989.

Deficiencies in the Application of Special Education Student-Teacher Ratios to Special Education Student Counts

- *The State Department of Education, with board oversight, has discretion in the development of special education student/teacher ratios.*

Even if the State Department of Education accounted for special education students 100% correctly, there is still another significant variable in the teacher unit equation: the student/teacher ratio which the State Department of Education applies to the student counts. Subsection 3 of MISS. CODE ANN. Section 37-19-5 (1972) grants the State Department of Education the authority to determine teacher unit needs. Because there are no federally mandated or state legislated special education student/teacher ratios, the department, with board oversight, has considerable discretion in determining needed teacher units. The State Department of Education claims that its overriding concern is to provide each special education child "an appropriate public education."

Pursuant to this federal mandate, the State Department of Education has developed minimum and maximum student/teacher ratios for broad categories of special education students, as summarized in Exhibit 22 on page 82.

State Department of Education personnel said the department developed these ratios several years ago based on a survey of other states and on the number of teachers which it believes are necessary to serve the two broad categories of special education functioning levels: resourced and self-contained. The State Board of Education was not in existence at the time that the Bureau of Special Services developed these ratios. Currently the department has the authority to change these ratios at will. There are no administrative or legal requirements for the Bureau of Special Services to review and justify these ratios periodically and there is no external review of the appropriateness of the ratios currently in use.

- *The State Department of Education's process of allocating special education teacher units involves a significant amount of subjective judgement which could result in favoritism in applying the ratios between districts.*

In practice, the State Department of Education's process of applying its stated special education student/teacher ratios to district special education student data involves a significant amount of subjective judgment. For example, many special education classes contain a combination of self-contained and resourced students. In allocating teacher units, the State Department of Education places the entire class in one category or the other, depending on the placement of the majority of the students, and applies this ratio to the entire class. In cases where the

EXHIBIT 22

MISSISSIPPI'S SPECIAL EDUCATION STUDENT/ TEACHER RATIOS BY CATEGORY

CATEGORY	NUMBER OF STUDENTS PER TEACHER		
	Minimum*	Maximum	Other Limits
Self-Contained	5	14	
Resourced	8	18	
Gifted	-	30	
Multi-handicapped	5	10	12 with one aide or 14 with 2 aides
Deaf/ Blind	5	10	
Severely and Profoundly Handicapped	5	10	
Specific Learning Disabled	8	18	15 on a district-wide basis
Emotionally Handicapped	8	18	
Developmentally Disabled	8	18	
Hearing Impaired	8	18	
Visually Impaired	8	18	
Language/ Speech Impaired	25	60	

*** SDE uses the minimum number of students to allocate a teacher unit to the first class in any category, but requires the maximum number of students plus one to justify an additional teacher unit for the same category.**

SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

number of resourced and self-contained students is equal, the State Department of Education chooses which label it will apply to the entire class when allocating teacher units.

Further, the ultimate ratios which the department applies in each school depend on numerous variables (e.g., ages and locations of students with similar disabilities) which the Bureau of Special Services claims that only its program staff can determine on a case by case basis. The State Department of Education worksheet for each district is a handwritten document containing numerous calculations. This worksheet does not leave an audit trail sufficient to allow an auditor to replicate the Department's teacher allocation procedure.

While the calculation of regular education teacher units involves a fairly straightforward application of legislated student/teacher ratios to student counts, the department has obfuscated the special education teacher unit allocation process. The discretion in the current process could result in favoritism in applying the ratios among districts.

Special Education Staffing Patterns

- *Mississippi has high special education teacher/student ratios compared to the southeastern average and to the State Department of Education's stated ratios.*

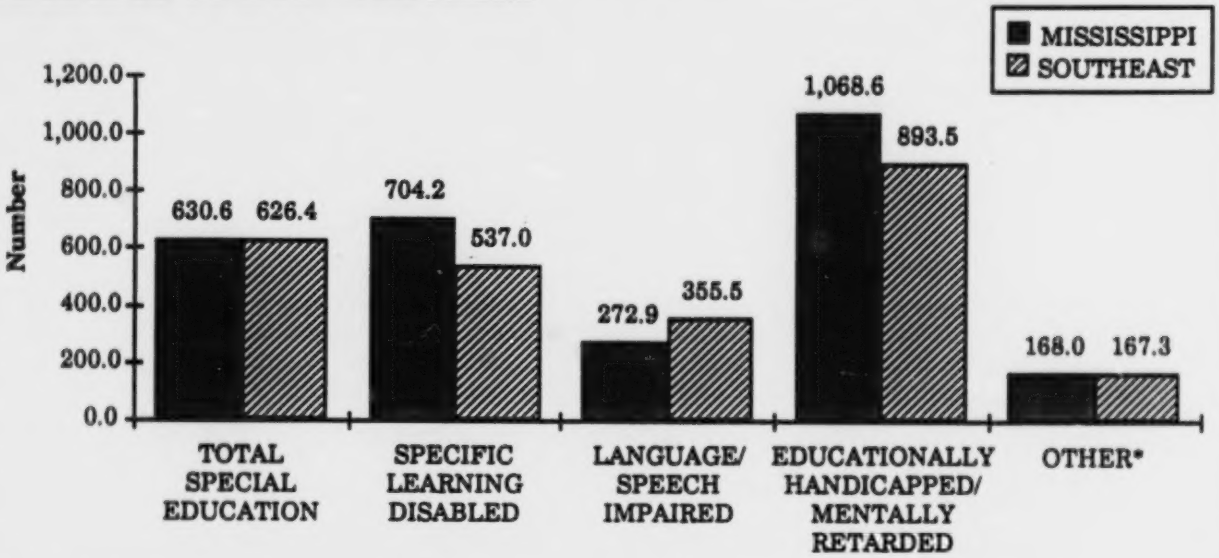
Based on comparative national data for the 1988-89 school year, the most recent completed school year for which information was available, Mississippi's special education classrooms had more teachers per student (631 teachers per 10,000 disabled students) than the average ratio for the southeast (626 teachers per 10,000 students). (See Exhibit 23, page 84.) Of the three categories of disabilities with the largest populations--specific learning disabled, language/speech impaired, and mentally retarded--Mississippi had a significantly higher number of teachers per 10,000 students than the southeastern average for specific learning disabled (704 in Mississippi versus a southeastern average of 537) and for mentally retarded (1,069 in Mississippi versus a southeastern average of 893). In the third classification, language/speech, Mississippi had fewer teachers per 10,000 students than the southeastern average (273 in Mississippi versus 355 for the southeast).

Had the state's ratio of teachers to students equalled that of the southeast for the 1988-89 school year, Mississippi would have spent an estimated $8 million less on special education teacher units, an amount which the Legislature could have spent on teacher aides or on improving services for students with learning difficulties in the regular education classroom.

EXHIBIT 23

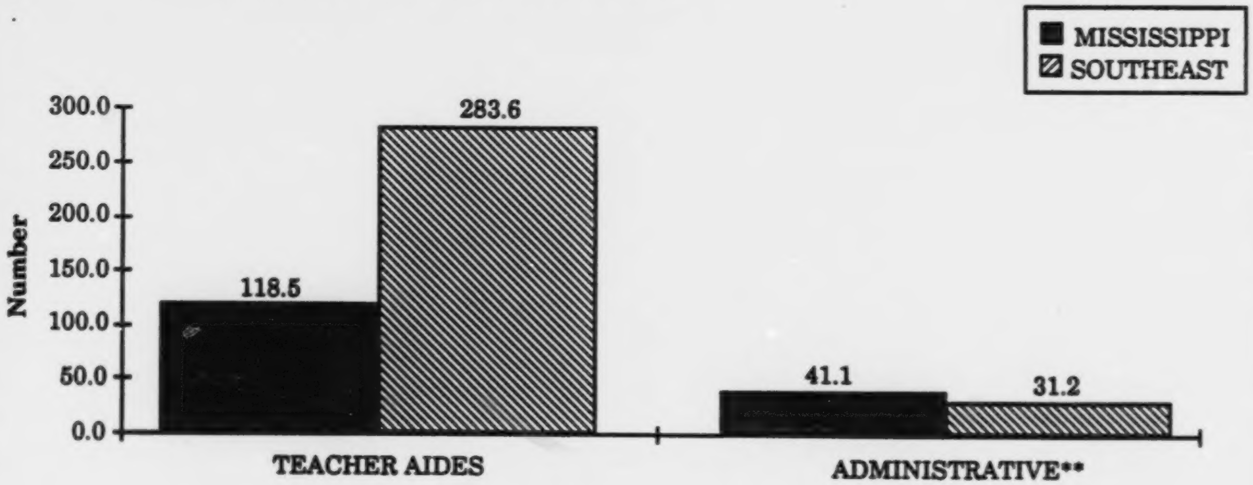
NUMBER OF SPECIAL EDUCATION TEACHERS AND SUPPORT STAFF PER 10,000 STUDENTS FOR MISSISSIPPI VERSUS SOUTHEAST REGION
(For School Year 1988-89)

SPECIAL EDUCATION TEACHERS



* Other includes Emotionally Handicapped, Preschool Handicapped, Physically Handicapped, Hearing Impaired, Visually Impaired, Multi-handicapped, and Deaf-Blind.

SPECIAL EDUCATION SUPPORT STAFF



** Administrative staff includes Supervisors and Administrators.

SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

- *In comparison to the southeastern average for the 1988-89 school year, Mississippi employed significantly fewer special education teacher aides.*

Mississippi employed more special education teachers per 10,000 special education students during the 1988-89 school year, but fewer teacher aides than the southeastern average (118 in Mississippi versus 284 per 10,000 students for the southeast). The fact that Mississippi's Minimum Program teacher unit funding does not fund the hiring of aides partially explains this comparatively low number of teacher aides. (Districts are permitted to use Minimum Program support services funding, which is allocated at a rate of $3,625 per teacher unit, toward support personnel such as special education teacher aides.)

Mississippi's comparatively low number of teacher aides is particularly significant in light of the fact that the state is unable to fill its special education teacher units with fully certified special education teachers. Of the state's 3,948 FY 1989 special education teachers, 435 (11%) held emergency certificates. The department issued the majority of these emergency certificates, 362 (83%), for "educationally handicapped" endorsements. SDE reports that most teachers falling into this category lack some coursework or experience for this particular endorsement, but have some of both. SDE allows emergency certified teachers three years to complete their coursework.

- *Mississippi employed a higher ratio of special education administrative personnel, approximately the same ratio of diagnostic personnel and fewer personnel in other categories of special education support in comparison with the 1988-89 southeastern average.*

During the 1988-89 school year, Mississippi employed more administrators per 10,000 handicapped students than the southeastern average at both the local and state levels. At the local level, Mississippi employed 32 administrators per 10,000 students while the southeast on the average employed 27. At the state level, Mississippi employed 9 administrators per 10,000 students with disabilities versus a southeastern average of 4. Exhibit 23, page 84, shows state and local totals for Mississippi and the southeastern states.

Options for Serving Students with Special Education Needs

As an alternative to placing more students in special education, regular class instruction can be strengthened to accommodate children with learning difficulties. State officials in Massachusetts estimated in 1991 that strengthening regular class instruction for this purpose would initially cost their state $26.8 million but could reduce the number of special-needs students by as many as 41,000, thus reducing annual special education costs.

Georgia has implemented a pre-referral process through which children with special educational needs receive assistance from a support team in the regular education setting in an effort to reduce the number of children placed in special education. Texas is also focusing on pre-referral intervention. Mississippi is experimenting with reducing special education placements by focusing on regular classroom intervention in certain pilot programs around the state.

Vocational Education Funding

The Minimum Program law provides one-half of a teacher unit for each vocational program approved by the Department of Education. However, the law provides no formula or method for determining in which districts and areas of training vocational programs should be placed. In carrying out its administrative responsibilities for determining how many Minimum Program teacher units should be allocated to each school district, the department has an obligation to control state costs by ensuring that only high-priority programs receive state funding.

Another administrative responsibility of the department related to vocational education funding is preparation of an annual general fund budget request that informs the Legislature of the state expenditure needed to ensure eligibility for federal vocational education funds (approximately $18 million in FY 1992). The second finding of this section (p. 100) describes problems in the method the department uses to determine the state's maintenance of effort requirements.

Neither the Minimum Program law nor the State Board of Education places sufficient controls on the funding of vocational education teacher units to prevent low-priority vocational programs from receiving state Minimum Program teacher unit funds. As a result, the State Board of Education has permitted local school districts and community colleges to use at least $1.1 million in state funds for low-priority vocational programs in FY 1992. In addition, neither the Board nor the Department can demonstrate that all other local programs receiving state vocational funds meet objective criteria that ensure that only programs of the highest priority receive state vocational funds.

PEER noted the following deficiencies in the department's administration of the Minimum Program and vocational education funding programs:

--absence of pupil/teacher ratios or any other objective method for determining teacher unit allocations;

--ineffective methods for identifying low-priority programs and discontinuing their state funding;

--inclusion of vocational guidance counselors in generating Minimum Program vocational teacher units; and,

--lack of any valid audit procedure to verify the accuracy of district performance data.

Effects of these deficiencies include:

--state support of courses with low enrollments;

--a lag between student enrollment declines and teacher unit decreases, which has cost the state more than $11 million over the past four years; and,

--high per-student expenditures.

- *There is no student/teacher ratio or any other objective criterion for generating vocational teacher units.*

Local school districts receive support for high school vocational instruction under two major state funding programs. One program is the state Minimum Program, which provides funds to be used specifically for vocational teacher salaries and fringe benefits. The other source of vocational education support is a general fund vocational education appropriation (approximately $47 million in FY 1992), approximately one-half of which is used for vocational programs at the secondary level. The balance is used to support community college vocational education programs.

The State Department of Education supports local vocational teachers with 1/2 teacher unit from the Minimum Program and up to 49% of a teacher unit at the secondary level from the general fund vocational education appropriation, using the reimbursement rates listed in Exhibit 24, page 88. School districts use local funds to cover the remaining portion of an individual vocational instructor's salary. (Generally, federal funds are not used for instructional positions in vocational education.)

Unlike regular education and special education teacher unit allocation processes, the funding of local vocational education programs does not depend on specific student/teacher ratios. To be eligible for one teacher unit under Minimum Program provisions for regular teacher

EXHIBIT 24

STATE DEPARTMENT OF EDUCATION REIMBURSEMENT RATE PER VOCATIONAL TEACHER TO LOCAL DISTRICTS FROM THE GENERAL FUND VOCATIONAL EDUCATION APPROPRIATION BY PROGRAM TYPE

Program Classification	Description	%Reimbursed by Voc.Ed funds
Enrichment	7th & 8th grade introductory courses	20%
Basic	Common core courses,e.g. Personal Services	40%
Occupational		
Secondary	High school courses which teach a particular skill	49%
Postsecondary	Community college courses which teach a particular skill	89%

SOURCE: State Department of Education.

units (as opposed to special education or vocational education Minimum Program provisions), a district must have 24 or 27 students in average daily attendance. (See sidebar on how Minimum Program teacher units are determined, p. 44.) To be eligible for one teacher unit under special education Minimum Program provisions, as administered by the Department of Education, a district must have approximately 14 disabled students enrolled in, for example, a self-contained program (see Exhibit 22, page 82). Different ratios apply for regular education and for the self-contained, resourced and gifted categories of special education, but teacher unit allocations in each of these areas are directly related to specific student/teacher ratios.

Unlike regular and special education funding, vocational program funding does not depend on enrollment or average daily attendance. Data from studies of labor force projections and other objectively-based economic development considerations also are absent from the vocational teacher unit allocation process. Instead, the process depends on a subjective decision by the Department of Education to initiate or continue a program. If the program is initiated or continued, the teachers in that program are counted toward Minimum Program teacher units.

Federal limits on the funding of vocational teachers originally established a degree of control on state Minimum Program expenditures because the state Minimum Program law limited its one-half teacher-unit allocations to cases in which a vocational teacher was paid in whole or in part by federal funds (SB 1205, 1953 Extraordinary Session, Legislature of the State of Mississippi). However, the state general fund appropriation now takes the place of federal support for almost all vocational teacher units and the Minimum Program law no longer requires federal support for a teaching position to qualify for state Minimum Program support. Although federal criteria no longer apply in the process of generating vocational teacher units, the Department of Education has not established its own controls by substituting specific criteria governing the number of vocational students a district must have enrolled in a program to qualify for a teacher unit.

By department policy, a vocational program must initially have at least ten students to be eligible to begin receiving state funds. This is the only absolute criterion used by the department in determining vocational program eligibility for funding. No minimum student/teacher ratios are required to continue to receive funding after the initial year.

- ***Board and department procedures are ineffective in limiting teacher unit generation for vocational and technical education.***

Two factors might appear to control the generation of vocational education teacher units. These are the board's policy on program elimination and availability of funding for the 1/2 teacher unit not covered by Minimum Program. However, as the following sections demonstrate, neither of these factors places effective, objective controls over teacher unit generation because neither represents an absolute criterion for continuing state support or for eliminating state support for low-priority programs on a timely basis. Further, the department includes vocational guidance counselor positions in its teacher unit requests, instead of restricting the generation and use of Minimum Program teacher unit funds to instructional personnel.

Weaknesses in Standards--The State Board of Education has acted as the policy-making authority for vocational education since the electorate ratified a 1982 constitutional amendment permitting the board to assume this responsibility. However, since July 1, 1986, when an automatic repealer on the law designating the State Board as the vocational education authority went into effect, Mississippi actually has had no policy making and oversight authority for vocational and technical education. (See finding, p. 148.) Possibly unaware that its vocational education policy-making authority has been repealed, the board has continued to function as the policy-making authority for vocational education.

Standards for program operations: In June of 1985, the board approved a policy establishing *minimum standards* for program operations, performance and enrollment, which ongoing vocational education programs must meet in order to continue to receive state vocational education funds. According to the board's policy, programs must meet standards in all three areas in order to continue to receive state vocational funds.

The Office of Vocational Education measures minimum vocational program standards by a "comprehensive program evaluation" which entails a review of planning and operational processes and standards such as safety and quality of instructional staff. The office conducted these evaluations on a five-year cycle, prior to the Board of Education's 1991 moratorium on accreditation site visits. (See accreditation section, page 132.) However, in order to meet federal guidelines, yearly reviews continue in which at least portions of certain programs in every district are reviewed. Compliance with these standards is necessary for a district to be accredited under the statewide accreditation system.

The weaknesses of the standards for program operations as a tool for eliminating low-priority programs are that they are process measures used for accreditation purposes. They provide no rigorous, quantitative information on whether a program is needed or whether it is having the intended outcomes regarding student learning or placement.

Lower 8% ranking method: The Board of Education requires the Office of Vocational Education to collect information annually on program enrollment, number of students completing each program and placement of students after they complete the program, and to maintain a formula for rating the programs comparatively. (See Appendix I, page 203, for the board policy on program elimination.) Accordingly, each year, the Office of Vocational Education, with board approval, sets the minimum rank a program must attain in order to be automatically funded for the following year. For the past several years, the office has established the lower 8% of program rankings as the cutoff for each class of programs. That is, any program ranking in the lower 8% must be terminated unless it can show improvement. According to Office of Vocational Education officials, there is no particular reason for the selection of the lower 8% as the benchmark. This is an arbitrary figure that has remained the cutoff point for several years.

To arrive at program ranks, the office first standardizes the raw performance data, as Appendix J on page 206 explains in detail. Each "performance element" specified in the policy (program enrollment, number of students completing the program, and placement of students after they complete the program) counts equally in this standardizing process (i.e., counts as one-third of the program's overall score). The office then adds the standardized data for all three performance measures for each program to arrive at a total combined score. The office ranks the programs within each major classification based on these combined scores and identifies those in the lower 8%. The Office of Vocational Education notifies local education agencies with low-ranking programs that the state will no longer disburse funds for these programs unless they can document improvement in the outcome measures within the first six months of the next school year.

Under this policy, the State Board of Education in effect permits existing vocational education programs to continue to operate with state funds unless the program had fallen in the lower 8% of a ranking of all similar programs two years earlier. For example, if a program's enrollment, student retention and placement rates were extremely low throughout the 1988-89 school year, the program would be notified during the 1989-90 school year and would continue to receive funding until the 1991-92 school year. At that point, if the program has not demonstrated improvement, it may be discontinued.

Weaknesses of the ranking method are that, in addition to the three-year delay in terminating unproductive programs, it permits minimum enrollment requirements to fluctuate with overall state enrollment trends, instead of establishing absolute minimum enrollment levels or any other absolute criteria. There is a subtle but important difference between a standard based on comparative performance, such as a program's rank among like programs, and a standard based on an absolute measure or series of measures. An example of an absolute measure would be a board requirement that a program achieve stated minimum enrollment, retention and placement rates. Minimum acceptable levels should be based on research that produces a defensible, efficient minimum for each program area. Basing funding decisions on an absolute standard is essential because, by discontinuing funding for any program whose performance declines below a certain level, the board would ensure that no state funds are used for an inefficient program. Without an absolute standard the public has no such assurance.

Low enrollment method: The board also requires that programs with "extremely low" enrollments be "adjusted" through teacher/program reductions. For the past several years, the board has established "extremely low enrollments per teacher" as being any program which has one-third or less the average number of students per FTE in the program classification. For example, if the average enrollment in secondary occupational programs (the average number of students taught by a secondary vocational teacher in all periods throughout the course of a day) were 36 students, "extremely low enrollment" would be 12 students.

The actual level defining "extremely low enrollment" for secondary occupational programs in 1990 was 11.6 students. That is, at a minimum a teacher had to maintain on his or her class rolls a total of at least 11.7 students over the course of a day to exceed the "extremely low" designation. With three vocational class periods per day in most secondary schools, an average class size of four students (11.7 minimum/3 class periods = 3.9 [approximately 4] students per class period) was high enough to warrant continuation of a secondary occupational program at the existing faculty level. Any program that had 11.6 or fewer students per FTE was to be placed on the deobligation list.

Because the definition of "low enrollment" is based on the state average enrollment for similar programs, this, too, is a relative measure. As a result, the minimum number of students per teacher changes from year to year, based on the state average instead of on optimum student/teacher ratios. As the average enrollment statewide declines, the number of students needed to maintain a level higher than "extremely low" declines. In the above example, if the average were to drop to 30 students, a teacher would have to teach only eleven students to exceed the ten-student level defining "extremely low enrollment."

Using availability of funding for the 1/2 teacher unit balance as a control on Minimum Program unit generation: State vocational education officials responsible for resource management conceded that the department has no absolute student/teacher ratio or any other absolute standard for determining whether a program should be terminated. Vocational education officials told PEER staff that the availability of funds from the department's other state general fund source, the vocational education appropriation ($47,167,769 in state general funds for FY 1992), is a control factor that limits the department's generation of Minimum Program vocational education teacher units. By the board's policy, the department cannot generate a Minimum Program teacher unit allocation (@1/2 teacher unit per allocation) unless the department also has available sufficient funds from the vocational education appropriation to cover a specified portion (40%, 80%, or 98%, depending on program type) of the remaining 1/2 teacher unit.

This stipulation by the Board of Education may constrain the department from generating large numbers of additional teacher units in a given year. In effect, however, using this legislative appropriation as the only real control over Minimum Program vocational teacher unit generation places upon the legislature instead of the board and department the burden of controlling Minimum Program teacher unit allocations. That is, the Minimum Program law designates the Department of Education as the party responsible for determining the number of programs to be supported by Minimum Program vocational teacher units.

Instead of specifying *efficiency* levels on the basis of research and professional judgement (e.g., the department's own or others' research on the most efficient student/teacher ratios possible in the various vocational course areas), the department depends on the legislature to control Minimum Program teacher unit funding by restricting the availability of vocational program funds in the separate vocational education appropriation. The board and the department have thereby abdicated their professional responsibility to identify and impose objective, defensible funding criteria; they rely instead on the political arena for controlling the Minimum Program teacher unit allocation process.

Implementation of State Board Policies--Although the Office of Vocational Education collects data which supports closure, the Office has not closed programs on a timely basis. PEER evaluated the Office of Vocational Education's implementation of its lower 8% closure policy by analyzing closure data for courses taught during the 1988-89 school year which the office identified as falling into the lower 8%. Of the 2,376 vocational education courses taught during the 1988-89 school year, 190 fell into the lower 8% ranking. PEER found that the office was still funding seven of these programs for the 1991-92 school year, even though the performance data which it collected showed no improvement in any of the three categories measured. The Office of Vocational Education continued to fund an additional 34 programs which showed improvement on only one of the three performance measures. (See Appendix K, page 211.) Had the office terminated these programs effective July 1, 1991, the $530,252 in vocational education funds which the Office of Vocational Education expended on them during FY 1992 would have been available for other programs. Closing those programs would have saved an additional $288,890 in Minimum Program teacher unit funds. The total FY 1992 state cost for these low-priority programs is $819,142.

The Department of Education also has not fully complied with the Board's "low enrollment" policy. That policy provides no waiting period. It simply states that programs with extremely low enrollment levels will be "adjusted." However, PEER's analysis of the funding status of programs failing to meet enrollment standards in FY 1989 and FY 1990 demonstrates that 11 of these low-enrollment programs at the secondary level and 6 postsecondary programs are still receiving state funds in FY 1992. The FY 1992 state general fund salary cost of these programs is approximately $341,613. (See Appendix L, page 213.) Excluding overlapping costs for two programs that appear on both lists (lower 8% and low enrollment), the total FY 1992 state salary cost associated with these low-priority vocational programs is $1,143,700.

- *The Department of Education violates the Minimum Program law by using existing, non-instructional vocational counselor positions to generate vocational teacher units, thereby increasing the number of vocational teacher units to which districts are entitled. This practice has cost the state a total of approximately $3.4 million in Minimum Program salary and fringe benefit funds over the past three years (FY 1988 through FY 1991).*

It is the **generation** of a teacher unit for a vocational counselor position that violates the Minimum Program law. Through this practice, counselors increase the number of Minimum Program teacher units beyond the number used for instruction. This practice violates MISS. CODE ANN. Section 37-19-1 (1972), which clearly defines teachers as instructional personnel who teach a minimum of three periods per day. Because guidance personnel are not instructional, and could not fall within the definition of a teacher, their use in **generating** minimum program teacher units is not in compliance with the law.

Department of Education officials said they have included counselor positions in Minimum Program budget requests for many years. The cost of this practice in Minimum Program salary and fringe benefit funds for the past three years alone is approximately $3,442,000.

In the regular education program, the department uses a different method to generate teacher units than it does to fill these units. In regular education 24 lower elementary students **generate** one teacher unit. A district **uses** this position when it hires a teacher and submits information to the department on that teacher's name, certification, years of experience, class load, etc. For the vocational education program, the law provides no ratio to be applied in generating a teacher unit. As a result, the department has administratively developed a method for generating teacher units. (See section on generation of vocational teacher units, p. 87.)

In this method, the department applies essentially the same procedure to generate teacher units as it does to use these units.

Department vocational personnel said they arrive at the annual vocational teacher unit request simply by determining how many vocational personnel currently are working in the districts. They modify this figure using knowledge about plans for the districts' vocational programs. Thus, the presence of a vocational counselor both generates and uses a teacher unit.

In the regular education program, the department routinely uses regular teacher units for counselor positions in determining Minimum Program allocations to the districts. Using teacher units for non-instructional personnel may or may not have been the intent of the legislature, but this practice does not increase the number of teacher units a district receives. It simply uses the unit for a counselor with higher levels of certification or experience and leaves the support of a lower-paid teacher to the district.

- *The Department of Education does not audit performance data it collects for use in deciding whether to continue supporting local vocational education programs.*

In order to measure minimum performance to determine whether programs will continue to receive state funding, the board requires the Office of Vocational Education to collect information annually on program enrollment, number of students completing the program and placement of students after they complete the program. The local educational agencies are responsible for reporting this information about the prior school year to the state office by November 1 of each school year.

Because the board requires that the department use this performance information in deciding whether to fund local programs, there is an incentive for the local educational agencies to inflate these figures. However, the data contained in these local reports are not routinely audited by the Office of Vocational Education. The only Department of Education review of these figures takes place at five-year intervals during the department's accreditation site visits. This review is not an audit. Instead, it is a cursory verification of data for two or three students, one of whom is chosen by the district under review.

- *The Board of Education's inadequate controls over teacher unit generation have resulted in extremely low enrollment in some local programs, as well as generally high per-student expenditures.*

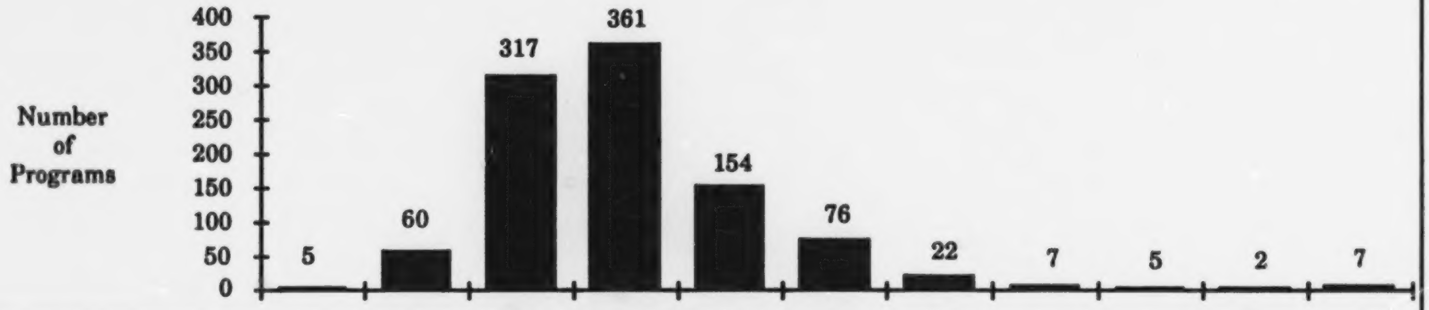
Low course enrollment--As a result of the absence of any absolute criteria for funding teacher units, in 1989-90 (the most recent year for which complete data are available) the department routinely funded teacher units for programs with only 15-20 students per teacher over an entire daily schedule. In more extreme cases full-time teachers taught a total of only eight students per day. See Exhibit 25, page 97, for information on secondary occupational program enrollment per full-time equivalent teacher. The secondary occupational category of programs employs more Minimum Program vocational teachers than any other category. Overall, low student/teacher ratios in vocational education at the secondary level resulted in high expenditures per vocational student in comparison with regular education.

Lag between student enrollment declines and teacher unit decreases--The current system for generating vocational teacher units does not use pupil/teacher ratios in determining vocational teacher unit allocations and as a result does not respond to enrollment declines on a timely basis. As a result, secondary vocational teacher unit allocations have declined by only 2% over the past four years in spite of a 19% drop in secondary vocational education enrollment. If teacher unit funding had declined at the same rate as secondary vocational enrollment, the state would have provided a total of $11,417,008 less in Minimum Program support for vocational education teacher units over the past four years. This amount is the four-year total of the annual cost per vocational teacher unit times the difference between the actual vocational teacher units each year and the number that would have been employed if the FY 1987 ratio of students per vocational teacher had been used in determining teacher unit allocations.

High per student expenditures in vocational education--An example of high expenditure per student can be seen in the area of trade and technical education, the occupational education category with the highest level of student participation (14% of all secondary vocational students in FY 1991). For this category of vocational education, Minimum Program funds 50% of a teacher unit and the general fund vocational appropriation funds 49% of the scheduled salary. The 1% balance is funded locally. In FY 1991 the area of trade and technical education received vocational teacher salary and fringe benefit support at an average rate of $2,303 per full-time equivalent student ($1,163 per full-time equivalent trade and technical student from Minimum Program plus $1,140 per student from the vocational appropriation). By comparison, high school students enrolled in regular academic courses received teacher salary support at an average rate of $1,035 per full-time equivalent student ($274,658,931 in Minimum Program teacher salary funds for regular academic teachers at the secondary level divided by 265,331 full-time academic students at the secondary level). That is, the teacher salary and fringe benefit support per regular academic student was only 45% of the amount spent per full-time equivalent trade and technical student in FY 1991. Neither of these figures (vocational or academic cost per student) includes local expenditures beyond the local contribution to Minimum Program, which was 2% of the total cost of Minimum Program in FY 1991.

EXHIBIT 25

SECONDARY VOCATIONAL OCCUPATIONAL PROGRAMS BY TOTAL ENROLLMENT PER FULL-TIME EQUIVALENT (FTE) TEACHER AND PER CLASS PERIOD, 1989-90



Total Students per FTE Teacher	0-9.9	10-19.9	20-29.9	30-39.9	40-49.9	50-59.9	60-69.9	70-79.9	80-89.9	90-99.9	100+
Average Students per FTE Teacher per Class Period	0-3.3	3.4-6.6	6.7-10	10.1-13.3	13.4-16.6	16.7-20.0	20.1-23.3	23.4-26.6	26.7-30.0	30.1-33.3	33.4+

SOURCE: Mississippi State Department of Education, Form VESE-166.

Higher costs per student often are associated with vocational education in comparison with regular academic education programs. However, the cost factors used by at least one other state show that Mississippi's cost per trade and technical student is high relative to regular academic costs per student in grades 4 through 8. Mississippi spends 2.18 times more for a full-time equivalent trade and technical student than for a student in the base category ($2,303 per trade and technical student / $1,054 per regular academic student in grades 4 through 8). By contrast, Florida appropriates only 1.75 times as much for industrial students, its most expensive category of non-handicapped vocational student. (This comparison uses grades 4-8 to represent regular academic appropriations instead of secondary costs presented above to permit comparison with Florida, which uses the cost for students in grades 4 through 8 as the basis for computing its relative cost factors.) Thus, in Mississippi the difference between expenditure per student in trade and technical education vs. the basic academic program was approximately 25% greater than Florida's difference.

Administration of Vocational Education Appropriation

During fiscal years 1989 through 1991, SDE received $10 million in state vocational education funds in excess of the amount required to qualify for federal vocational education funds under the Carl Perkins Act. This $10 million excess includes a $1.8 million FY 1991 deficit appropriation during a fiscal year when the Department of Education's appropriation already exceeded the amount needed to qualify for federal funds by $3 million.

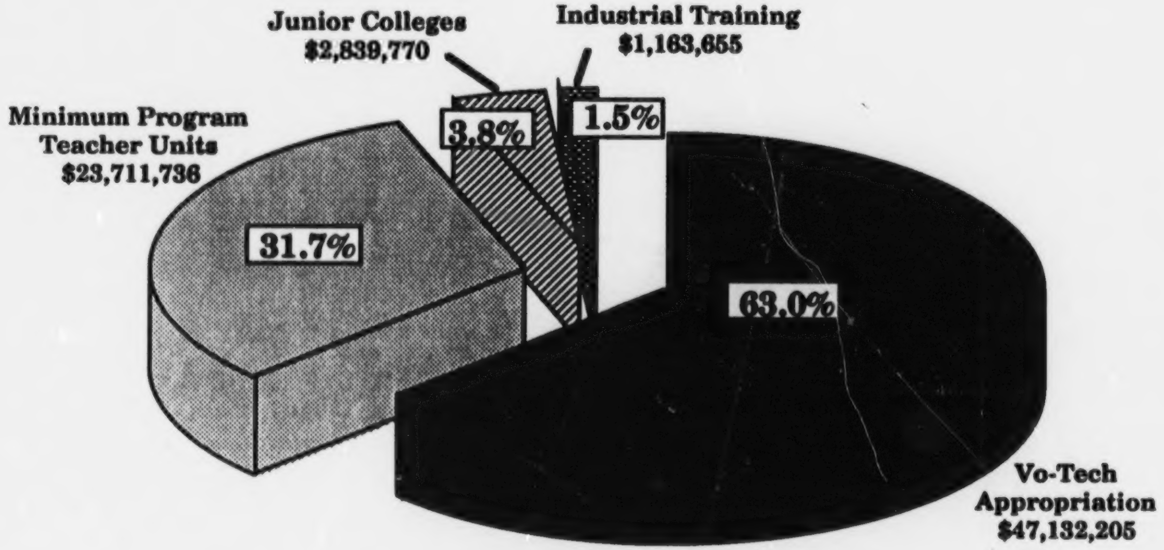
- *Between FY 1988 and FY 1991, the Department of Education did not include all state-appropriated vocational education expenditures in calculating maintenance of effort.*

According to Mr. Jim Jankowski of the U. S. Department of Education, federal law requires states to include in their maintenance of effort calculations the expenditure of all state funds specifically appropriated for vocational education.

The Office of Vocational Education has historically included only one of four sources of vocational education funding, the vocational education appropriation to the State Department of Education, in its maintenance of effort calculations. As shown in Exhibit 26 on page 99, this source represented 63% of total state appropriated funds for vocational education in FY 1991. The largest source of vocational education funding which the department omits from its calculation is vocational education Minimum Program teacher unit funding, which in FY 1991 amounted to $23.7 million (31.7% of total state appropriated funds for vocational education).

EXHIBIT 26

FISCAL YEAR 1991 VOCATIONAL EDUCATION EXPENDITURES BY SOURCE



TOTAL EXPENDITURES = $74,847,366

SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

The effect of this practice, combined with the method the Office of Vocational Education chooses to use in calculating maintenance of effort (see following section), is that the state could have appropriated a total of $10 million less in FY 1989 through FY 1991 to vocational education and still have received the same level of federal vocational education funds.

- *Between FY 1989 and FY 1991, the State Department of Education did not use the method of calculating maintenance of effort which would result in the lower state appropriation.*

Title V, Part A, Section 502 (a) of the Carl D. Perkins Vocational and Applied Technology Act of 1990 establishes the following "maintenance of effort" requirements for a state applying to receive federal vocational education funds:

> *No payments shall be made under this Act for any fiscal year to a State unless the Secretary determines that the fiscal effort per student or the aggregate expenditures of such State for vocational education for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational education for the second preceding fiscal year.*

The federal government uses its maintenance of effort test only to determine whether or not a state qualifies for grant funds under the Carl Perkins Act. The amount of each state's federal grant entitlement under the Carl Perkins Act does not depend on the amount of the state's effort, but rather on other factors such as the number of children in the state who participate in the free lunch program and the number of students who receive Pell grants.

Mr. Jim Jankowski of the U.S. Department of Education's Office of Vocational and Adult Education told PEER that each year a state can calculate its maintenance of effort by using either or both the aggregate expenditure or per-pupil calculation. The aggregate method is frequently used as a forecast or first check; however, if there is a problem, the proof is with the expenditure-per-student calculation. It is normal in projecting maintenance of effort to use the aggregate expenditure calculation because it is a quick way to check, whereas the per-pupil calculation takes more effort. Federal auditors first check a state's expenditures from an aggregate method standpoint, and if the auditors observe a decline, they calculate expenditures on a per student basis to see if a decline in enrollment explains the decline in expenditures.

PEER reviewed the Office of Vocational Education's maintenance of effort calculations for the period of FY 1988 through FY 1991. During this period, the office exclusively used the aggregate expenditure method to calculate the level of state appropriation necessary for the department to qualify for federal vocational education funds. The office stated that it uses the aggregate expenditure method because it is more manageable to use when calculating the State Department of Education's state budget request than using the effort per student method. Under the aggregate expenditure method, the department knows that it must receive a state appropriation equal to or greater than the previous year's appropriation. Under the effort per student method, the department does not know what level of appropriation to request because the level required to show maintenance of effort depends upon the number of students enrolling in vocational education for the upcoming fiscal year, which is an unknown variable at the time that the State Department of Education makes its budget request.

Despite the possible difficulties of projecting vocational education enrollment for budgetary purposes, during a period of declining enrollment a state has to expend less on vocational education in order to meet federal maintenance of effort requirements using the cost per student method than the aggregate expenditure method. For example, if a state expended $10 million on vocational education in FY 1988 and $12 million in FY 1989, it would have to expend at least $12 million in FY 1990 in order to receive federal funding using the aggregate expenditure method for a total of $34 million over the three year period. However, if vocational education enrollment in FY 88 was 10,000 (state expenditures of $1,000 per student), dropped to 9,000 in FY 89 and 8,000 in FY 90, to qualify for Carl Perkins funds the state would only have to expend a total of $27 million.

Because the period of fiscal years 1988 through 1991 was a period of fluctuating and declining vocational education enrollment in Mississippi, the effect of the Office of Vocational Education's exclusive reliance on the aggregate expenditure method has been a higher level of state expenditure on vocational education than required to receive federal vocational education funds under the Carl Perkins Act.

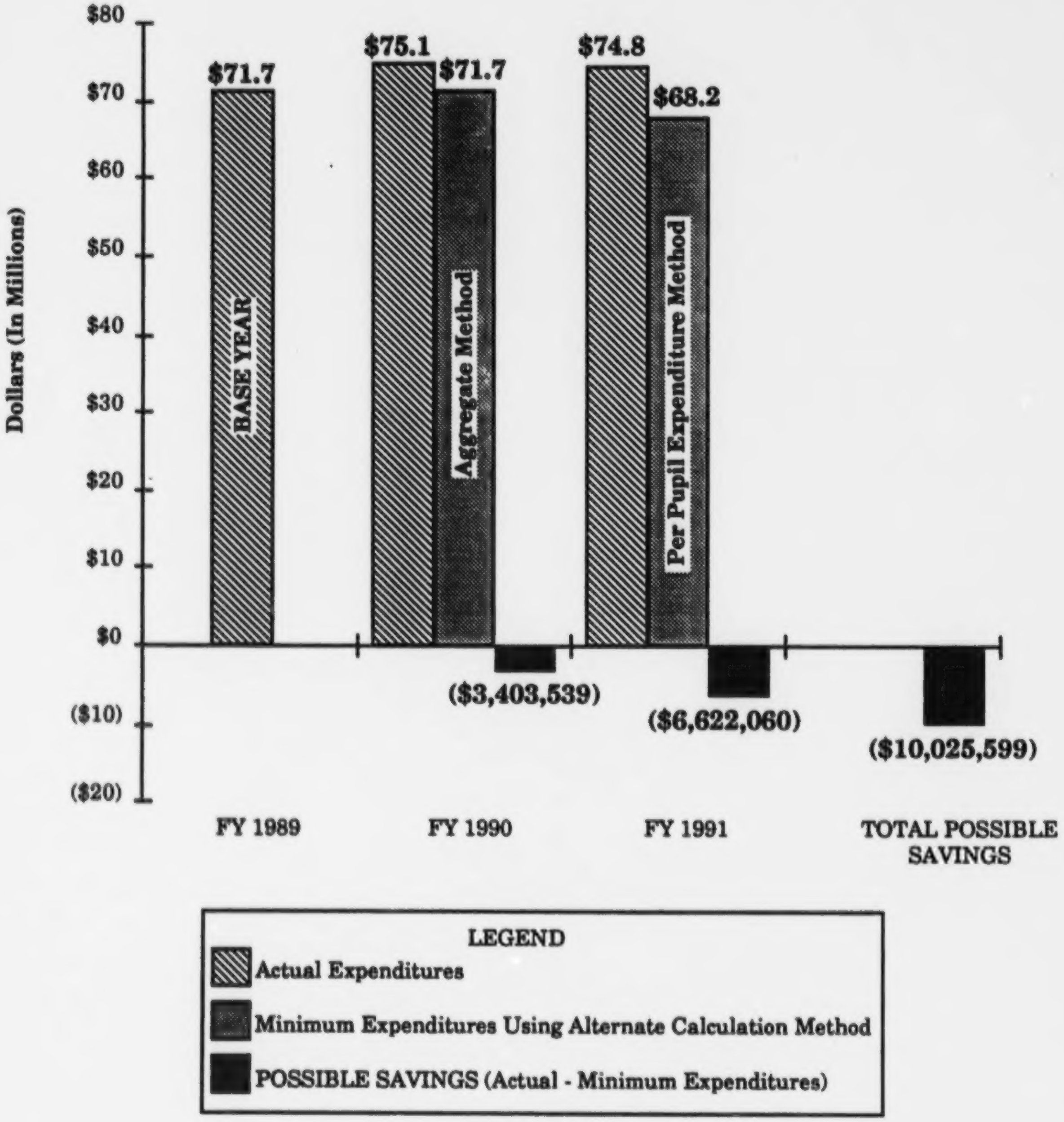
Exhibit 27 on page 102 illustrates the amount of state funds which the Office of Vocational Education received during the period FY 1989 through FY 1991 using the aggregate expenditure method in excess of that needed to meet federal maintenance of effort requirements. As the exhibit shows, had the Office of Vocational Education used the lower cost method for each year during this period rather than exclusively relying on the aggregate expenditure method, the state could have appropriated a total of $10 million less to vocational education and would have continued to receive the same level of federal vocational education funds under the Carl Perkins Act.

Even if the department had alternated between the aggregate and per-student methods without basing maintenance of effort calculations on all of the state's vocational educational expenditures, the department could have spent a total of approximately $6 million less from FY 1989 through FY 1991 and still would have maintained the prior year's level of effort. That is, using expenditures authorized under the vocational appropriation only ($47,132,205 in FY 1991), the department could have requested and

EXHIBIT 27

POSSIBLE SAVINGS FROM USING ALTERNATE METHOD OF MAINTENANCE OF MINIMUM EFFORT FORMULA USING BASE FISCAL YEAR 1989

(For Fiscal Years 1990-91)



SOURCE: Compiled by PEER staff from data provided by the State Department of Education.

received $6 million less over this three-year period with no adverse effect on federal funding.

The department's failure to project enrollment levels and to compute per-student funding required for maintenance of effort was especially disruptive during the latter portion of FY 1991. At the time, department officials told the Legislature that the state would lose its eligibility for Carl Perkins funds if the Legislature failed to restore a $1.8 million cut the department had sustained as a result of the state's FY 1991 revenue shortfall. During the discussion surrounding the issue of restoring the $1.8 million, neither the department nor the Legislature knew that a total FY 1991 expenditure of $42.3, instead of $47.1, million would have been sufficient to meet federal maintenance of effort requirements on a per-student basis. That is, the state actually would have exceeded its maintenance of effort requirement by approximately $3 million without the $1.8 million FY 1991 deficit appropriation. (See Exhibit 28, page 104.)

To arrive at the lowest possible maintenance of effort level, SDE should have collected FY 1991 enrollment figures, multiplied the FY 1990 per-student funding level ($298.37) by the FY 1991 enrollment (141,901) to compute the state's maintenance of effort requirement on a per-student basis, and provided this information on the minimum maintenance of effort requirement to the Legislature. However, SDE personnel said time pressures prohibited them from collecting actual enrollment data during the period in which the deficit appropriation was under discussion. The department's estimated enrollment levels were too high to ensure that the per-student calculation would yield a maintenance of effort level such that the deficit appropriation would not be necessary. The Legislature restored the $1.8 million before adjourning in 1991. Data collected later showed that actual enrollment fell short of spring 1991 projections. As a result, the FY 1991 expenditure exceeded the maintenance of effort requirement by approximately $4.8 million (see Exhibit 28, page 104.)

EXHIBIT 28

SDE'S STATED NEED FOR RESTORATION OF $1.8 MILLION TO VOCATIONAL EDUCATION APPROPRIATION VERSUS ACTUAL CARL PERKINS ACT MAINTENANCE OF EFFORT NEED BASED ON THE PRIOR YEAR'S PER-STUDENT EXPENDITURE

STATED NEED	SDE's stated FY 1991 Carl Perkins Act maintenance of effort need (based on prior year's aggregate expenditure)		$47.1 million
	FY 1991 appropriation after cut	-	$45.3 million
	SDE's anticipated FY 1991 shortfall (amount below purported maintenance of effort requirement)		$1.8 million
ACTUAL NEED	FY 1990 per-student expenditure (Vocational Education appropriation only)		$298
	FY 1991 enrollment	x	141,901
	FY 1991 maintenance of effort requirement (based on per-student method)		$42.3 million
DEFICIT APPROPRIATION REQUIREMENT	FY 1991 appropriation after cut		$45.3 million
	FY 1991 actual maintenance of effort requirement	-	$42.3 million
	Excess state appropriation after cut (before Legislature restored $1.8 million)		$3.0 million
	Amount restored based on SDE's request	+	$1.8 million
	Excess state appropriation after restoration		$4.8 million

SOURCE: PEER analysis of SDE data and federal requirements.

SCHOOL AND DISTRICT EVALUATION

A comprehensive system of evaluation for schools and school districts provides information for accountability as well as for school and district planning and improvement. In Mississippi, the summative component of a comprehensive system primarily includes the statewide testing and accreditation programs.

The following section on statewide testing (pages 105 to 123) describes the tests that the Department of Education currently administers, as well as problems related to the department's analysis and reporting of test results and its use of test results in making accreditation decisions. That section focuses on problems that prevent the testing system from effectively meeting its accountability responsibilities. Similarly, the section on accreditation (pages 123 to 142) describes the shortcomings of the current accreditation process in yielding the accountability information the process is intended to provide.

The final section in this chapter (pages 142 to 147) places the testing and accreditation processes in the context of a comprehensive evaluation system. In addition to an external accountability component consisting of statewide testing and accreditation, a truly comprehensive evaluation system that can contribute effectively to school improvement also includes a local, internal feedback component that informs individual school improvement efforts (i.e., a formative component). The final section critiques Mississippi's school and district evaluation process, which lacks any systematic formative evaluation procedure for ensuring that school personnel continually assess their own programs and processes and that they use the results of these assessments to improve student performance.

Mississippi Statewide Testing Program

Statutory Mandate

MISS. CODE ANN. Section 37-16-1 clearly states that the purpose of the statewide testing program "*is to provide information needed for state-level decisions*" and that:

> *[T]he program shall be designed to:*
>
> *a.) Assist in the identification of educational needs at the state, district, and school levels.*
>
> *b.) Assess how well districts and schools are meeting state goals and minimum performance standards.*

c.) *Provide information to aid in the development of policy issues and concerns.*

d.) *Provide a basis for comparisons among districts and between districts, the state and the nation, where appropriate.*

e.) *Produce data which can be used to aid in the identification of exceptional educational programs or processes.*

In addition, CODE Section 37-3-12 requires that the State Superintendent of Public Education analyze test results and use this analysis and other information "*to formulate policy, identify areas of concern and need and to serve as a basis for short-range and long-range planning.*"

Components of the Statewide Testing Program

The statewide testing program currently has two basic components, a criterion-referenced component and a norm-referenced component.

- *Norm-referenced testing*--Generally speaking, achievement tests evaluate the performance of students relative to the performance of a known group called a *norm group*. The performance of this norm group is used to define the expected range of performance of students on the test. Normed achievement tests contain items ranging from the very easy to the very difficult. Their main utility is to differentiate clearly among students who have attained different levels of achievement in a given subject area. Comparisons among students and groups of students can be made for a norm-referenced test using *measures of central tendency* and variance that provide a uniform way of describing the relative performance of an individual or group.

  The norm-referenced component of Mississippi's statewide testing program is the Stanford Achievement Test Series, Eighth Edition, Form K for grades 4, 6, and 8.

- *Criterion-referenced testing*--Criterion-referenced tests represent a completely different approach to the measurement of achievement. A criterion-referenced test is composed of items that accurately represent the specific subject or content area one wishes to measure. With a criterion-referenced test the object is to assess mastery of these specifically defined content areas. There are no norms--the standard is mastery.

  The key to effective criterion-referenced testing is to provide assurance that each test adequately samples the knowledge and

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skills appropriate to the subject and level being tested. If so, knowing that the students in a given school or district have reached an established mastery level provides some assurance that the school is teaching the knowledge and skills that the education community has defined as important for a given area and level of study.

The State Department of Education developed and uses the Basic Skills Assessment Program (BSAP) and the Functional Literacy Examination (FLE) to measure mastery of basic skills in reading, math and written communication at the third-, fifth-, eighth-, and eleventh-grade levels. (Beginning in 1992 the third and eighth grade assessments will be dropped from BSAP and only the fifth grade assessment will remain in the program.) The subject area testing program, a series of subject-specific tests being developed as part of the overall performance evaluation process, has yet to be used in arriving at accreditation decisions.

The most meaningful way to interpret performance for a school or district on a criterion-referenced test is to observe the proportion of individual students who reach the mastery criterion. The mastery criterion represents the percent of items students must answer correctly to be considered proficient in the skills measured on the criterion-referenced test. The Mississippi Commission on School Accreditation selected "80% correct" as the mastery standard for BSAP and FLE. However, the section on reporting of BSAP and FLE results (page 115) demonstrates that the method SDE uses to apply the chosen standard is not appropriate for use with criterion-referenced tests.

The State Department of Education sets and applies performance standards and reports on performance data in a manner that obscures the actual performance of individual schools.

The State Department of Education's analysis and reporting of statewide student performance does not fulfill the department's accountability responsibilities as defined in MISS. CODE ANN. Section 37-16-1. Reports generated from statewide testing program data do not provide a clear and comprehensive picture of the performance of Mississippi's primary and secondary school students. Further, the department does not clearly define its standards of performance, nor does it describe the standing of each school relative to those standards in ways that the general public can understand.

Performance levels established by the Department of Education for accreditation purposes are too low, permitting fully accredited districts to operate schools with significant numbers of students failing to meet the long-term minimum standards for basic skills or to perform at the expected grade equivalency level on normed tests. Also, 37% of all third-, fifth-, eighth- and eleventh-grade students tested in 1991 fell below the 80% minimum performance standard set by the Commission on School Accreditation in at least one basic skill area (reading, math or writing). By eighth grade, three out of every five schools in *Level Three* accredited districts exceeded, by at least ten percentage points, the expected number of students (based on national norms) functioning more than two years below grade level in reading, while one in every ten schools exceeds the expected percentage in math by the same amount.

Standards for individual performance on the basic skills tests are also weak. Under certain circumstances students may claim mastery on a subtest of the criterion-referenced Functional Literacy Exam with as little as 60% of the items correctly answered. Further, PEER noted a marked decline in the proportion of students maintaining acceptable levels of performance on basic skills tests from grade three through grade eight. Finally, even though students in potentially "Distinguished Achievement" districts do not perform at a uniformly high level on minimum basic skills tests, the Board of Education is attempting to relieve schools in these districts from all major accountability requirements set forth in statute.

Reporting of Performance Data

- *The State Department of Education's analysis and use of student performance data is limited. Current SDE performance reports provide little support to the public in attempts to assess the quality of education of a particular school or school district and to hold districts accountable for improving the quality of education in the state.*

While the current implementation of the statewide testing program meets the letter of the statewide testing law, little evidence exists that SDE thoroughly evaluates the test data produced for patterns of strength or weakness that might provide clues to improving the educational system of the state. Further, even though the academic performance in some schools in the state is extremely low and merits attention, the department does not release academic performance data in a form that allows the public to identify those programs readily and insist on remedial action. The department's reports are filled with technical jargon and difficult for the public to use in assessing the quality of education in a particular school or school district. Examples are the SDE's use of such terms as "*mean* scaled score" and "normal curve equivalent." Technical reporting may be necessary to communicate accurately with other professional educators, but the State Department of Education has an even more pressing obligation to communicate clearly and effectively with the parents and taxpayers of the state. Unnecessarily complex and ambiguous reporting limits the usefulness of student performance data in holding school officials accountable for performance, particularly in districts headed by elected public officials.

Also, the department does not routinely present a detailed analysis of student performance strengths and weaknesses to the State Board of Education for use in establishing long-range policy (e.g., performance goals), and the board has not called for such an analysis on a routine basis.

This failure to assess and report system performance in valid and useful ways severely weakens a key component of the educational system--the ability to compare and interpret the performance of students. The Department of Education's use of data produced by the current statewide testing program is limited to an averaging of scores across districts for the Basic Skills Assessment Program and the Functional Literacy Exam (a practice which PEER questions--see Criterion-referenced Testing, page 115), as well as for the Stanford Achievement Test. This failure to analyze the data fully and take it beyond the basics of reporting central tendencies and performance relative to arbitrarily established minimum performance standards falls short of what PEER sees as the intent of MISS. CODE ANN. Section 37-16-1.

PEER contends that the current presentation of statewide testing data is only the first of several steps that should be taken to develop a systematic, objective evaluation of the performance of our schools relative to an external or *a priori* standard of excellence. The State Department of Education defines excellence relative to the performance of schools in the Mississippi system, but the components of the system must ultimately stand the test of an external standard of excellence if students are to be nationally competitive.

- *State reporting of student performance on the Basic Skills Assessment Program and the Functional Literacy Examination is invalid for the performance concepts that underlie these criterion-referenced tests.*

Average performance is not the appropriate basis for comparison when evaluating the results of a criterion-referenced test. Demonstrating an appropriate level of mastery on a properly constructed test is the only necessary basis of comparison. In the case of BSAP and FLE the goal is to determine whether a student has mastered grade- and subject-specific knowledge and skills. Therefore, comparisons involving descriptive statistics (central tendencies [means], variances, etc.) are of little value. The expectation is that every student who has been given subject- and grade-appropriate training will demonstrate mastery of the appropriate material. The student is being tested only on what he or she should know, not on the limits of knowledge. Typical performance based on a measure of central tendency will be distorted (skewed) by the fact that the majority of students will achieve mastery on the test. This simply means that a large number of students will meet the criterion for mastery and invalidate the assumptions behind the use of the mean as a descriptive statistic.

In its annual report on the statewide testing program, the Department of Education provides an analysis of BSAP (including FLE) results as changes in mean scaled scores over time. However, use of a mean scaled score as a measure of relative performance is somewhat misleading, since BSAP is a criterion-referenced test. As stated, mastery is the appropriate "norm" for BSAP, not a scaled version of the average performance of students on the tests. Comparing an individual, school or district to a mean scaled score treats the criterion-referenced BSAP as if it were norm-referenced and has an adequate ceiling to allow for a normal distribution of scores. This is not a valid assumption and furthermore, it departs from the basic concept of determining who has achieved mastery. A more appropriate basis of comparison for BSAP, FLE, and the subject area tests when they become fully operational would be a simple comparison of the percent of students not achieving the mastery criterion. Certainly this is not the only possible basis of comparison and PEER is not suggesting that it be adopted, but it does serve as an illustration of the types of analysis that can be provided on school and district performance. Exhibit 29, page 111, uses actual school district data to illustrate the effect of basing BSAP standards on individual mastery using hypothetical school and district criteria, instead of basing standards on average scaled scores.

Volume II of this report, the Technical Appendix, highlights some of the practical comparisons that can be made using available data other than the mean scaled scores now reported. PEER used the 80% mastery level in the analysis contained in the technical appendix because the committee that helped develop the BSAP tests established that criterion as the proportion of items students would have to answer correctly to be considered to be performing at a mastery level. As Appendix M, page 214, of this volume shows, Dr. Tom Saterfiel, the former SDE Deputy Superintendent to whom department personnel referred PEER staff, endorsed PEER's use of the 80% correct criterion in describing performance of districts and schools because "*such an analysis would. . .be a presentation of group data.*"

Performance data for individual districts shows that there are level three accredited school districts where the performance data from schools that are doing well in teaching basic skills masks the poor performance of other schools in the district. PEER believes that the capacity to mask inadequate schools through an averaging process is improper. For a district to meet Level 3 accreditation standards, all schools within the district should be required to meet the approved mastery standard. (See Exhibit 29, page 111. See also Appendix N, page 216, for definitions of accreditation levels 1 through 5.)

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EXHIBIT 29

ACTUAL VERSUS ALTERNATIVE METHODS FOR DETERMINING COMPLIANCE WITH ACCREDITATION PERFORMANCE STANDARDS

Actual Method Based on Average Scale Score

SCHOOL DISTRICT 1 - Grade 5 Reading Performance, expressed as scale scores

Minimum Scale Score = No individual student criterion for BSAP

School	Alpha			Beta			Gamma		
	==== Student	SCALE SCORE	Achieved Mastery	==== Student	SCALE SCORE	Achieved Mastery	==== Student	SCALE SCORE	Achieved Mastery
	A =	563	N/A	K =	587	N/A	U =	558	N/A
	B =	587	N/A	L =	571	N/A	V =	574	N/A
	C =	550	N/A	M =	563	N/A	W =	587	N/A
	D =	563	N/A	N =	558	N/A	X =	589	N/A
	E =	574	N/A	O =	569	N/A	Y =	561	N/A
	F =	566	N/A	P =	558	N/A	Z =	584	N/A
	G =	555	N/A	Q =	569	N/A	AA =	584	N/A
	H =	577	N/A	R =	571	N/A	BB =	592	N/A
	I =	553	N/A	S =	577	N/A	CC =	582	N/A
	J =	566	N/A	T =	582	N/A	DD =	592	N/A
Average Scale Score for School =			565			570			580
School Criterion = No school criterion									
School Meets Criterion =			N/A			N/A			N/A

District Criterion = District Average Equals at Least 568.4 (per Accreditation Commission, 1991-92)

District Meets Criterion = YES (District Average = 572)

Alternative Method Based on Student Mastery

SCHOOL DISTRICT 1 - Grade 5 Reading Performance for same students, expressed as percent correct

Minimum Basic Skill Level (MBSL) = 80% CORRECT

School	Alpha			Beta			Gamma		
	==== Student	PERCENT CORRECT	Achieved Mastery	==== Student	PERCENT CORRECT	Achieved Mastery	==== Student	PERCENT CORRECT	Achieved Mastery
	A =	77%	NO	K =	92%	YES	U =	74%	NO
	B =	92%	YES	L =	82%	YES	V =	84%	YES
	C =	69%	NO	M =	77%	NO	W =	92%	YES
	D =	77%	NO	N =	74%	NO	X =	94%	YES
	E =	84%	YES	O =	81%	YES	Y =	76%	NO
	F =	79%	NO	P =	74%	NO	Z =	90%	YES
	G =	73%	NO	Q =	81%	YES	AA =	90%	YES
	H =	85%	YES	R =	82%	YES	BB =	95%	YES
	I =	71%	NO	S =	85%	YES	CC =	89%	YES
	J =	79%	NO	T =	89%	YES	DD =	95%	YES
% Achieving MBSL =			30%			70%			80%
Hypothetical School Criterion = 80% of students meet MBSL									
School Meets Criterion =			NO			NO			YES

Alternative District Criterion = All schools meet school criterion

District Meets Criterion = NO

Basing accreditation performance standards on district average scale scores potentially masks poor student- and school-level performance.

SOURCE: PEER analysis of actual 1991 school data and Mississippi Board of Education accreditation standards.

Accreditation of School Districts and Student Performance

The State Board of Education's current performance standards for accreditation of school districts do not contain a requirement that each regular member of the student body (excluding special education students) meet a predetermined mastery level on its criterion-referenced tests. Rather, the department requires that average student performance in a district reach an annual minimum value that is equivalent to a scaled score point one-half a standard deviation from the statewide means on the student distributions. In other words, the mastery requirement for the student body as a whole floats from year to year based on the average performance of students statewide.

PEER takes exception to this method of setting standards for the reasons stated in the preceding section. In effect, it weakens the accreditation process and allows districts to function as fully accredited while operating some schools that are less than adequate. As they are presently defined, the accreditation standards relating to student performance appear to be based more on the number of low-performing districts for which the department can afford to provide intense performance improvement consulting services than on an absolute performance criterion.

The Department of Education has established what it calls a long-term minimum value for accreditation that it eventually hopes to implement. The approved long-term minimum is set at a scaled score point which requires that a district's average student performance reach 80% correct on the items representing the content area being assessed. What this means is that the department's long-term goal is for a district to be accredited only if its student body can, on average, correctly answer 80% of the questions chosen as representing the skill level being assessed. However, the long-term minimum values are not a part of current accreditation decisions. Most minimum values which the Accreditation Commission currently uses in making accreditation decisions fall short of the long-term minimum.

Although the long-term criterion of 80% correct is established subjectively, it represents a standard for performance that is not difficult to achieve and not unreasonable to attain. For example, a student completing the fifth grade should be able to work all of the problems that define mastery of basic skills in math at the fifth-grade level. This expectation is reasonable since the student is not being asked to attempt problems that are beyond grade level, as would be done with a norm-referenced test. The standard of 80% correct allows students to demonstrate a reasonable level of competency in the content area, with the underlying expectation that the majority of students will actually be able to work all of the problems.

- *Performance levels established by the Department of Education for accreditation purposes are too low, permitting fully accredited districts to operate schools with significant numbers of students failing to meet the long-term minimum standards for basic skills or to perform at the expected grade equivalency level on normed tests.*

As has been stated, the department uses the BSAP and FLE series to assess student performance and then uses the data to make accreditation decisions, assuming that the tests are grade-appropriate. In fact, BSAP actually may be measuring skills that are slightly below grade level, at least in the case of the eighth-grade BSAP. PEER's analysis of BSAP and Stanford test results at the eighth-grade level showed that more than one-third of the students who scored 80% correct on the BSAP reading test (i.e., demonstrated mastery of eighth-grade BSAP reading skills) were unable to reach the second-semester eighth-grade equivalency level on the reading section of the Stanford Achievement Test. (See Basic Skills Assessment Program - Reading, page 115.) From this analysis we can conclude that passing the eighth-grade BSAP does not provide assurance that a student is performing at the eighth-grade level. Further, almost three out of every five schools in districts meeting Level 3 performance criteria exceeded the expected number of students functioning two or more years below grade level in reading by at least ten percentage points. In addition, almost one in every ten schools in Level Three accredited districts exceeded the expected number of students functioning two or more years below grade level in math by at least ten percentage points. (See Student Performance and Norm-referenced Testing (Stanford Achievement), page 121.)

These figures provide compelling evidence that the SDE's performance levels for accreditation are too low and that fully accredited districts are being allowed to operate inadequate schools. Current standards of accreditation have allowed a district to continue to operate with full Level Three accreditation with as many as 41% of the student body in one of its schools failing to meet the long-term minimum standard for the FLE in all three content areas (reading, math, and writing) and 68% failing to meet the long-term minimum standard in at least one content area.

While this case represents the extreme, PEER found that, in academic year 1990-91, 8% of the schools in districts meeting Level 3 performance criteria had more than 10% of their students failing to meet the long-term minimum standard in *all three* content areas at grade 3. By grade 5 the percentage of schools in accredited districts with more than ten percent of their students falling below mastery in all three content areas had risen to 46%. The figure leveled off in grades 8 and 11 at 55% of the schools in accredited districts having more than ten percent of their students failing to meet the long-term minimum performance standard in reading, math, and writing. These percentages are unacceptable in schools in districts meeting Level 3 performance criteria when minimum proficiency in the basic skills is the quality being assessed.

Establishing an acceptable mastery level for students is an important concern due to the presumed relationship between accreditation and quality. Current state educational policy calls for a system of performance-based accreditation. As such, one would expect that the accreditation process would be sufficiently related to quality to have a positive effect on the number of students failing to achieve mastery of basic skills.

- ***Schools in districts meeting Board of Education standards for Accreditation Levels 4 and 5 ("Distinguished Achievement") do not uniformly demonstrate high levels of student achievement.***

Using fifth grade BSAP scores for all three content areas, PEER analyzed the performance of only those students in potentially "distinguished achievement" districts (i.e., districts with average BSAP achievement levels high enough to meet the board's "distinguished achievement" criteria by exceeding the average performance for all districts that meet a specified minimum average score). (See Appendix N, page 216, for performance standards for "distinguished achievement" districts.) Seven percent of the schools in potentially distinguished achievement districts had more than one-fourth of their students failing to meet the minimum standard in reading (see page 112 for an explanation of the minimum standard for mastery). In addition, 19% of schools in districts meeting the BSAP portion of the criteria for "distinguished achievement" districts had more than one-fourth of their students failing to meet the minimum standard in math; and 20% of schools in districts meeting the BSAP portion of the criteria for "distinguished achievement" districts had more than one-fourth of their students failing to meet the minimum standard in writing. Overall this analysis demonstrates that a significant number of students (25% or more) in many of the schools that have been identified as being part of a potentially distinguished district cannot demonstrate even a minimum level of achievement in basic reading, math and writing skills.

The Board of Education has recommended a bill that would exempt any school district meeting Level 4 or 5 accreditation standards ("distinguished achievement" districts) from certain standards for school operation, including standards for teacher certification, staff development, process standards that are part of the performance-based accreditation system, continuing education for teachers and administrators, teacher workload requirements, restrictions on use of Minimum Program teacher unit funds, and other provisions of law that ensure public accountability and protection of the public from inferior schools.

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Student Performance and Criterion-Referenced Testing

While the average of 80% correct as a performance criterion for accreditation represents mastery at the district level, it says nothing about the required mastery level for individual students. The most meaningful way of interpreting student performance for a school or district on a criterion-referenced test is to observe the proportion of individual students tested that reach the mastery criterion. Reasons for this have previously been presented on page 107. Requiring the performance level of a student body to *average* 80% correct tells the public nothing about the performance level required for individual students to reach mastery on the basic skills tests.

For a basis of comparison, PEER accepted the 80% correct long-term accreditation standard as a mastery criterion and applied it to individual students for the three content areas (reading, math, and writing), to observe proportions of students that would achieve mastery. PEER analyzed 1991 performance data and found the proportions falling below mastery that are summarized in Exhibit 30, page 116. The analysis summarized by Exhibit 30 avoids the pitfalls of comparing average performance on a criterion-referenced test and focuses on the proportion of students whose basic needs are not being met by the current system. PEER chose to use the long-term minimum as a standard for this analysis because the interim standards currently used by the State Department of Education are not valid for use in analyzing performance on a criterion-referenced test. Instead of designating absolute standards of achievement in relation to specific objectives, the interim levels of performance are based on the relative standard of group performance (averages).

- *By restricting its BSAP and FLE reporting to group means, the Department of Education obscures serious, systemwide performance problems.*

PEER found performance problems in mastering basic skills across content areas and levels. Based on the PEER analysis of the percent of students meeting basic skill performance standards, 37% of all third-, fifth-, eighth- and eleventh-grade students tested fell below the 80% minimum performance standard set by the Commission on School Accreditation in at least one basic skill area (reading, math or writing), with ten percent 10% of all third-, fifth-, eighth- and eleventh-grade students tested falling below the minimums in all three basic skill areas.

Basic Skills Assessment Program and Functional Literacy Exam - Reading

-- In 1991 the proportion of students who failed to meet the 80% mastery criterion for basic skills in reading was highest for eighth-grade students at 41%. Thirty-seven percent of those eighth-grade students who did reach the mastery criterion were reading at a

EXHIBIT 30

GRADE-BY-GRADE COMPARISON OF THE PROPORTION OF STUDENTS FAILING TO MEET THE MASTERY CRITERION OF EIGHTY PERCENT CORRECT ON TESTS OF BASIC SKILLS FOR ACADEMIC YEAR 1990-91

	Students Tested	Students Below Mastery In Reading	Students Below Mastery in Math	Students Below Mastery in Writing	Students Below Mastery in All Three	Students Below Mastery in One Area
BSAP - Grade 3	39763	3004	3976	5562	1455	7611
BSAP - Grade 5	39163	9187	10328	10445	4735	15828
BSAP - Grade 8	35557	14661	12817	6137	4633	18240
FLE - Grade 11	25744	6817	5465	7067	2991	10568

	Students Tested	Percent Below Mastery In Reading	Percent Below Mastery in Math	Percent Below Mastery in Writing	Percent Below Mastery in All Three	Percent Below Mastery in One Area
BSAP - Grade 3	39763	7.55%	10.00%	13.99%	3.66%	19.14%
BSAP - Grade 5	39163	23.46%	26.37%	26.67%	12.09%	40.42%
BSAP - Grade 8	35557	41.23%	36.05%	17.26%	13.03%	51.30%
FLE - Grade 11	25744	26.48%	21.23%	27.45%	11.62%	41.05%
Across Grades	140227	33669	32586	29211	13815	52247
		24.01%	23.24%	20.83%	9.85%	37.26%

BSAP = Basic Skills Assessment Program
FLE = Functional Literacy Examination

SOURCE: State Department of Education student performance data for school year 1990-91.

grade equivalency level of less than 8.5. While approximately 8% of the third-grade students tested on BSAP failed to reach the mastery criterion, the proportion falling below mastery increased dramatically to 23% in the fifth grade and 41% in the eighth grade. This dramatic percentage increase dropped to 26% failing to meet the mastery standard on the eleventh-grade FLE, but this apparent improvement may be related to the dropout rate between the eighth- and eleventh-grade years.

Looking back at the earlier size of the group of eleventh-graders who took the FLE in 1991, PEER found a loss of approximately 10,000 students between the eighth and eleventh grades for this group (1988 eighth-graders vs. 1991 eleventh-graders). In all probability, many of these dropouts were not performing well in school and would have not done well on the FLE had they taken it. This would be consistent with the department's contention that poor performers are prone to drop out. The improvement in the percentage of students meeting mastery standards between the eighth grade BSAP and the FLE is more likely due to the loss of low-performing students than it is improved instruction. Projecting a failure rate for the 1991 FLE had the system not lost 10,000 students, the percentage failing to meet the mastery criterion would be somewhere between 30-47%.

-- Thirty-seven percent of the students who had passed BSAP at the eighth-grade level were reading at less than the 8.5 grade equivalent level as measured by a norm-referenced test. Considering the percentage of eighth-grade students failing to reach the mastery criterion in reading (41%), PEER checked on test difficulty by comparing performance on the eighth-grade BSAP with performance on the eighth-grade Stanford Achievement Test, a norm-referenced test. Using only the data from eighth-grade students who met the 80% mastery criterion on BSAP, PEER found that 37% of the students who had passed BSAP were reading at less than the 8.5 grade equivalent level. The expected reading level for this group of students would be at least 8.8 (eighth month of eighth grade), if BSAP truly measures eighth-grade minimum reading competency skills. (Ninety-six percent of those who failed to meet the mastery criterion were reading below the 8.5 grade equivalent level.)

Based on this simple analysis, PEER concluded that the 41% rate of eighth-grade students falling below mastery in reading is not likely the result of the BSAP test being too difficult and the issue deserves additional study by the department.

-- In certain circumstances, students may claim mastery on a subtest of the criterion-referenced FLE with as little as 60% of the items correctly answered.

After analyzing percentages of students not meeting the mastery criterion of 80% correct on the reading component of the Functional Literacy Exam, PEER noted that the failure rate of 26% produced by this analysis was far removed from the 5% failure rate the department reported for the FLE in 1991. To produce a failure rate of 5% for FLE reading scores, the department could not be using a mastery criterion of 80% correct, since that criterion produced a much higher failure rate. Actual mastery criterion used by the department for passing the FLE reading test was 70% correct. Again, the disturbing aspect is that with criterion-referenced material, the expectation is that student performance should be closer to 100% correct than to the more liberal 80% correct. Under a mastery criterion of 70% the report to the public of a 95% passing rate on reading for the FLE is extremely misleading.

In some circumstances, a student can be given credit for reading mastery with even less than 70% correct on the reading subtest. According to the department's guidelines for FLE qualifying scores, a qualifying score for FLE can be attained with a composite scaled score for the three subtests of reading, mathematics, and written communication of 699. This scaled score represents an average of 70% correct on each subtest. However, students "*may score as low as scaled score 211 (60 percent correct) on any test, but may make this score up by scoring higher than scaled score 233 (70 percent correct) on the other test(s).*" These guidelines allow students to claim mastery on a subtest of the criterion-referenced FLE with as little as 60% of the items correctly answered.

The significance of the low standard for mastery is that, beginning with the graduating class of 1989, students must pass the Functional Literacy Examination section of the BSAP in order to graduate. Allowing students to pass the FLE with less than mastery performance devalues the high school diploma.

Basic Skills Assessment Program and Functional Literacy Exam - Math

-- In 1991 the proportion of students who failed to meet the 80% mastery criterion for basic skills in math was highest for eighth-grade students at 36%. The pattern of basic skills performance in math for grades 3, 5, 8, and 11 was much the same as in reading. A slightly larger percentage of third-grade students (approximately 10%) failed to meet the 80% mastery criterion for math than for reading. However, on the whole, the proportion of students failing to meet the mastery criterion increased as grade level increased, just as it did with reading. The proportion of students failing to reach mastery was 26% by fifth grade and reached a high point of 36% by eighth grade. The drop in proportion of failures to 21% on the FLE math subtest mirrors the reading data, but PEER has the same concerns about this being related to the dropout problem (see page 117).

Comparing student performance on the eighth-grade BSAP math subtest with performance on the eighth-grade Stanford Achievement math subtest, PEER found that 23% of the students who met the mastery criterion on the eighth grade BSAP were below the 8.5 grade equivalent level in math. The expected math grade equivalency level for this group of students would be at least 8.8, if BSAP truly measures eighth-grade minimum math competency skills.

Basic Skills Assessment Program and Functional Literacy Exam - Writing

-- In 1991 the proportion of students who failed to meet the 80% mastery criterion for basic skills in writing was highest for fifth- and eleventh-grade students at approximately 27%. The proportion of students failing to meet the mastery criterion in writing went from 14% in the third grade to 27% in the fifth grade back to 17% in the eighth grade to 27% in the eleventh grade. This pattern of performance is different from that seen in reading and math. Eighth-grade students showed only a 17% failure rate in writing when the reading failure rate was 41%.

From the public's perspective it would seem that there would be a much higher degree of relationship between the reading subtest and the writing subtest, which is subjectively graded. The discrepancy noted between reading and writing performance demonstrates a need for a close review of the grading criteria and practices to see if refinements should be made in the process. This is especially important if the Department of Education plans to move from a more traditional approach to a form of "authentic" assessment. The move to make testing more representative of what students are expected to do in the "real world" is a good concept, but is fraught with difficulties and is expensive to validate and implement. The writing subtest for BSAP is a good proving ground for "authentic" testing. However, discrepancies with reading scores show that this concept of measurement needs more attention.

- *The proportion of students maintaining acceptable levels of performance on basic skills tests shows a marked decline from grade three to grade eight.*

The percentages of students performing below the minimum performance standards set by the Commission on School Accreditation by content area (reading, math and writing) increase by grade level (3, 5, 8, and 11), except for eighth-grade writing. Overall there is a marked decline in the proportion of students maintaining acceptable levels of performance on basic skills tests from grade three through grade eight in all content areas, with the effect most pronounced in reading. This decline in performance across grades is seen even though the numbers of students tested at each grade level drops, suggesting that some of the less proficient students may be leaving the system. One would expect that this loss of students would be reflected in a higher proportion of the remaining students meeting the minimum performance standards, but that is not the case. Loss of students is accompanied by increased success at only one time in the testing cycle. The largest decrease in the number of students taking the skill tests occurs before the Functional Literacy Exam is given in the eleventh grade. This is the only time that there is a gain in the relative number of students meeting the minimum competency standards. Factors contributing to progressively lower performance at higher grades, excluding the FLE, need to be carefully studied by the SDE and actions taken to correct the problem.

- *Contrary to conventional wisdom, a large socioeconomically disadvantaged student population in a school is not necessarily associated with a large proportion of students failing to meet minimum basic skills standards.*

PEER found an interesting relationship between socioeconomic status and achievement in basic skills areas. Conventional wisdom, and much of the educational literature, says that there is a direct relationship between the socioeconomic position of a school's student population and performance on normed achievement tests. Children from lower socioeconomic groups generally do not do as well on normed measures of achievement. PEER studied whether this relationship held for the criterion-referenced BSAP and FLE tests. If so, one might expect higher percentages of students not reaching minimum basic skill levels in schools with a higher percentage of students participating in the free lunch programs.

While there does appear to be a general relationship between socioeconomics and performance on criterion-referenced tests, the relationship breaks down as a larger percentage of the school's students participate in free lunch programs. In general terms what this means is that there were just as many schools serving low-income students with low percentages of students failing to meet minimum basic skill standards as there were with high percentages failing to meet the standards. Based on the PEER analysis, a large socioeconomically disadvantaged student population is not necessarily associated with a large proportion of students failing to meet minimum basic skills standards.

This assertion has significant implications for the State Department of Education. First, if it is true that low-income students in some schools succeed at rates equal to students in more affluent schools, there is no reason to have different expectations for schools with differences in socioeconomic composition. If one "low-income" school can be effective, all can be effective. Second, if it is true that low-income students succeed in some schools, the department needs to study carefully the schools that produced these successes and identify contributing factors that led to their success. Third, if the conditions reflected in the PEER analysis are the result of factors other than valid student performance, the SDE has a major problem with its performance evaluation system. Such wide variation in performance on basic skills tests among schools with high percentages of students from low-income families is an unexpected outcome that deserves greater attention.

Student Performance and Norm-Referenced Testing

- *Some districts whose performance on nationally normed tests is considered adequate by Mississippi accreditation standards have large numbers of students scoring below grade level.*

To complete the analysis of student performance, PEER analyzed data available for the norm-referenced Stanford Achievement Test (fourth, sixth, and eighth grade levels). PEER limited the review to determining the percent of schools in Level Three accredited districts with more than the expected proportion of students performing at more than two years below grade level. (See Exhibit 31, page 122.) The expected value, which is based on national norms, represents the proportion of students performing more than two years below grade levels that one would find in a typical American school.

-- Some districts which meet minimum state performance standards have high percentages of eighth-graders performing at least two years below grade level in reading and math. In a typical American school, one would expect 14% of the fourth-grade students to be functioning at least two years below grade level. PEER found that 46% of the schools in Level Three districts had more than this proportion of students reading at least two years below grade level. For sixth-grade reading, 57% of the schools had a larger proportion of these educationally deprived students than expected. By eighth grade, 84% of Mississippi schools in Level 3 districts had more than the expected proportion of students reading at a level that was at least two years below grade level.

EXHIBIT 31

PROPORTION OF LEVEL THREE SCHOOLS WITH GREATER THAN THE EXPECTED PERCENTAGE OF STUDENTS FUNCTIONING MORE THAN TWO GRADES BELOW LEVEL ON THE SCHOOL YEAR 1990-91 STANFORD ACHIEVEMENT TEST

Schools Performing Below Expected

Grade Level	Level 3 Schools	Schools Below Expected	Reading*	Schools Below Expected	Math**
Grade 4	430	197	46%	55	13%
Grade 6	401	228	57%	111	28%
Grade 8	284	238	84%	86	30%

* Percent of Level Three Schools Whose Proportion of Students Scoring More Than Two Years Below Grade Level on the Reading Section of the Stanford Achievement Test was Above Expected

** Percent of Level Three Schools Whose Proportion of Students Scoring More Than Two Years Below Grade Level on the Math Section of the Stanford Achievement Test was Above Expected

Schools Performing Significantly Below Expected

Grade Level	Level 3 Schools	Schools Below Expected	Reading***	Schools Below Expected	Math****
Grade 4	430	84	20%	2	0.47%
Grade 6	401	126	31%	29	7%
Grade 8	284	171	60%	27	10%

*** Percent of Level Three Schools Whose Proportion of Students Scoring More Than Two Years Below Grade Level on the Reading Section of the Stanford Achievement Test was Greater Than Ten Percentage Points Above Expected

**** Percent of Level Three Schools Whose Proportion of Students Scoring More Than Two Years Below Grade Level on the Math Section of the Stanford Achievement Test was Greater Than Ten Percentage Points Above Expected

SOURCE: State Department of Education student performance data for school year 1990-91.

The situation in math was somewhat better. In fourth grade math, one would expect only 6% of the students in a typical school to be functioning at least two years below grade level. Only 13% of the schools in Level Three districts exceeded this criterion. At the sixth-grade level, 28% of the schools had more than the expected number of low-performing students. Finally, for eighth grade, 30% of Mississippi's schools in Level Three districts had more than the expected proportion of their student bodies functioning at or below the 6.8 grade equivalent level. These results show that large proportions of schools in districts meeting Level 3 performance standards had more than the expected number of students scoring at least two years below grade level. Results were particularly low for reading.

PEER further analyzed the fourth-, sixth-, and eighth-grade Stanford Achievement Test data to determine whether these schools not only had more than the expected proportion of students functioning well below grade level, but whether the schools actually exceeded the expected proportion of low-performing students by at least 10%. Exhibit 31 shows the results of this analysis. As that exhibit demonstrates, by eighth grade, three out of every five schools in Level 3 accredited districts exceeded the expected number of low-functioning students by at least ten percentage points on the Stanford reading test. In math, one of every ten schools in Level 3 districts exceeded the expected proportion by at least 10%.

School Accreditation

Development of an Educational Accountability System in Mississippi

A voluntary approach to school accreditation began in Mississippi in the late 1890s. In 1896, the University of Mississippi developed a standard curriculum program and began its regulation of the state's high schools that participated in the program. Later, in 1918, the university proceeded to expand its regulatory role by asking the Mississippi Education Association High School Classifying Committee to establish classification standards to group and classify the affiliated high schools systematically. The request was granted and, as the responsibilities and workload of this committee grew, the Mississippi Education Association created the State High School Accrediting Commission as a standing committee of the association. Under the newly formed commission, eleven minimum standards were established as requirements for high school accreditation. In 1926, the Mississippi Education Association created the State Elementary School Accrediting Commission to regulate programs for the state's elementary schools. The two commissions operated separately throughout the sixties sharing responsibilities of accrediting public schools and working with the Department of Education staff to collect and process accreditation information.

Recognizing a need to standardize the organization and operation of school programs throughout the state, the Legislature passed the state's first accreditation law in 1970 giving the board and the Department of Education oversight of the Mississippi's school accreditation system. MISS. CODE ANN. Section 37-17-3 gave the board authority to establish accreditation standards for the state's public schools and created the Commission on School Accreditation to assist in this effort. CODE Section 37-17-5 requires the commission to review and enforce accreditation standards and to make recommendations to the Board of Education.

Responsibilities of the Commission on School Accreditation

The twenty-member Commission on School Accreditation is composed of four representatives from each of the state's five congressional districts. The commission consists of classroom teachers, principals, school superintendents, local school board members and representatives from the institutions of higher learning and community and junior colleges. These individuals are appointed by the Mississippi Board of Education upon the advice of the State Superintendent. Generally, the commission meets six times during the year and responsibilities include:

- establishing requirements and enforcement procedures for school accreditation;
- reviewing and approving any changes in accreditation requirements;
- reviewing and maintaining accreditation records on all public school districts and voluntary nonpublic schools; and,
- monitoring the enforcement of accreditation requirements.

Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

- *Mississippi law affords the State Board of Education sufficient authority to develop a performance-based accreditation system that includes all of the key elements needed to ensure full accountability on the part of local school districts.*

A state's school accreditation procedure often serves as the primary tool for school district accountability and quality assurance. Having analyzed Mississippi's laws regarding school district accountability, PEER concluded that Mississippi law affords the State Board of Education sufficient authority to ensure that school districts maintain minimum performance levels. Following are the elements that should be present in a performance-based system of school accreditation and a summary of Mississippi laws authorizing the State Board of Education, the State Department of Education and the Accreditation Commission to establish each of these elements.

A 1991 publication by the National Conference of State Legislatures (NCSL) noted that, at a minimum, a state's accountability system should include:

- clear and measurable goals that describe intended outcomes,
- assessment tools that measure progress toward the goals, and
- incentives that reward goal achievement and ensure adjustments in case of failure.

These elements define a performance-based system of accountability.

As part of the 1982 Education Reform Act, MISS. CODE ANN. Section 37-17-6 required the State Board of Education, acting through the Commission on School Accreditation, to establish and implement a performance-based accreditation system no later than July 1, 1986. In another part of the 1982 education reform package, the Legislature established a statewide testing program (MISS. CODE ANN. Section 37-16-1 et. seq.). Taken together, these Mississippi statutes require establishment of an accountability system whose elements are similar to those recommended by the National Conference of State Legislatures. Specifically, the law requires the following elements in Mississippi's accountability system:

Outcome goals and objectives.--Mississippi's testing law (MISS. CODE ANN. Section 37-16-1 et. seq.) requires that the department establish, with Board of Education approval, a set of minimum student performance standards related to the goals for education contained in the state's plan. In addition, Mississippi's accreditation law (CODE Section 37-17-1 et. seq.) specifies other system performance areas in which the board was to establish standards. Specifically, the performance-based accreditation system was to take into account:

- the role and behavior of the school principal;
- the amount of time given to instruction;

- the quality of preschool programs;
- student discipline practices and policies;
- emphasis on acquisition of basic skills;
- commitment to bringing all children to a minimum level of achievement;
- the nature and quality of feedback given to students about their level of performance;
- teacher preparedness as reflected in lesson plans, learning objectives, assessment criteria, and materials;
- classroom decorum, discipline and management;
- use of mastery learning techniques, direct instruction and active teaching;
- time on task;
- use of diagnostic measures;
- proper sequencing of subject matter; and,
- coordination of curriculum throughout the system.

These student and system performance requirements correspond to the "clear and measurable goals" of the NCSL minimum elements for accountability.

Assessment tools--Mississippi's testing law requires that the Department of Education specify the student performance tests needed to determine the extent to which students meet minimum performance standards. The testing law also requires that local school district boards periodically assess student performance and achievement in each school. This assessment should be based on local goals and objectives supplementing the minimum performance standards set forth in the state board's plan. In addition, the accreditation law requires establishment of a school district audit system for conducting field audits of schools to determine whether schools are complying with accreditation standards.

These sections of Mississippi law correspond to the NCSL element on creation of assessment tools that measure progress toward goals.

Rewards and sanctions--Mississippi's accreditation law (MISS. CODE ANN. Section 37-17-6) requires that the state Board of Education establish a program of development with which schools failing to meet accreditation standards must comply in order to continue to receive state funds. The same section charges the state Board of Education with responsibility for implementing a program of development, including a state responsibility to "offer technical assistance to districts in making corrective actions." That section also authorizes the Board of Education to withdraw the accreditation of a district and declare a state of emergency if a district fails to take recommended action to correct deficiencies.

Thus, Mississippi law requires an implicit, though limited, reward for districts meeting performance goals--full accreditation and continuation of state funding. The law also provides limited authority to the Board of Education to include other incentives in the accreditation system. In addition, the law requires that districts take corrective action if they fail to meet standards. These components of Mississippi law provide for the final elements of an accountability system--incentives rewarding goal achievement and adjustments in case of failure.

- *In developing the legally mandated system of accountability, the Accreditation Commission, the Board of Education, and the Department of Education have complied with the letter of the law while consistently avoiding positions that would require fully objective reviews and high levels of achievement on the part of all schools.*

In establishing and implementing a system of school accreditation, the entities involve in its development, such as a state's Accreditation Commission, State Department of Education and State Board of Education, must balance pressures exerted from several directions. The general public wants assurances that tax dollars are being used as effectively as possible and that students are reaching reasonable levels of achievement in return for the public's investment in schools. Parents want their children to enjoy a future in which no options are withheld as a result of educational deficiencies. School district personnel want their efforts to be recognized, but many local district administrators and board members also wish to retain as much autonomy and freedom from centralized regulation as possible.

Each of these parties has legitimate concerns. However, it is the responsibility of the State Board of Education, the State Accreditation Commission and the State Department of Education to make the difficult choices that will ensure that all students will receive the best education possible. To support the board in selecting the course of action that will best serve the students of the state, SDE staff must identify and present to the Accreditation Commission and to the board the standards that are most likely to ensure a uniformly high level of performance. The staff also should be prepared to defend those standards from a professional perspective and to explain to the board the consequences of selecting any but the most comprehensive of standards.

Once the State Board of Education has established standards, the department must enforce them uniformly and consistently. Although a state accreditation system's purpose is to improve education, an effective state education agency does not confuse districts' good intentions with full compliance, nor does it confuse its service and regulatory responsibilities. If parents, the public and district personnel themselves are unaware that problems exist, schools will not improve. "Helping" districts should mean ensuring that all districts meet all standards.

In its attempt to demonstrate sensitivity to the difficult task faced by school districts and to take as positive a position as possible, the Board of Education, the Accreditation Commission and the Department of Education in some cases have fallen short of establishing high standards and insisting on strict adherence to these standards. Following are some areas in which these regulatory authorities have avoided taking positions that would have required high levels of performance in Mississippi's public schools.

The Board of Education has not established long-term minimum performance standards that hold all schools accountable for high levels of student performance--Mississippi law requires that the state accreditation system take into account students' acquisition of basic skills in reading, writing and mathematics (MISS. CODE ANN. Section 37-16-1). Accordingly, the Department of Education developed the Basic Skills Assessment Program (BSAP) to test students' performance at the third-, fifth-, eighth- and eleventh-grade levels. (In summer 1991, on the recommendation of high-level department administrators, the Board of Education deleted the third-grade and eighth-grade BSAP tests from the state testing program, effective April 1992.) The state testing program also includes a norm-referenced test, the Stanford Achievement Test, which the department administers to fourth-, sixth- and eighth-grade students. In addition to establishing a testing program, the law requires the department to establish minimum performance standards (MISS. CODE ANN. Section 37-16-1). In the late 1980s, the Department of Education and the Accreditation Commission developed minimum student performance levels for the BSAP and Stanford Achievement Tests.

To establish such minimum standards, particularly in the area of basic skills, a procedure that would ensure that all schools would be held to a high standard would include:

- identifying the set of minimum basic skills needed at each grade level tested and the test items to be used in determining whether a student possesses these skills, and

- establishing a reasonably high percentage of students who must achieve this minimum level if the school's performance is to be considered adequate, or establishing a minimum level of improvement (e.g., the minimum increase in the percent of successful students).

Although the SDE assembled a task force that arrived at a consensus regarding the set of minimum basic skills which must be mastered by students at each of the relevant grade levels, the department, the Accreditation Commission and the Board of Education did not follow through to establish a reasonably high percent of students in each school who must achieve this minimum performance level to consider a school's performance adequate.

Specifically, the department, the Accreditation Commission, and the board took the following action:

-- shifted the emphasis away from the school level, which is the level of accountability specified in MISS. CODE ANN. Section 37-16-1 et. seq. Instead, they moved the emphasis up to the more general level of the school district; that is, all performance criteria apply to districts instead of schools. Consequently, a low-performing school may be permitted to continue its poor performance without consequence and without assurance of assistance as long as the district's students on average perform at a level high enough to mask the performance of the lower-performing school. (See Student Performance section, p. 112.) A related effect is the appearance that a district is performing well (i.e., consistently across all schools), when performance of some schools actually may be very low.

   The State Board of Education may not have been aware of the potential masking effect inherent in its approval of district, instead of school, averages. If it was aware of this problem, the board might have considered district (as opposed to school) performance as the only viable basis for accreditation because districts, not schools, receive state funding. However, the board could have chosen to take the position that only those districts in which all schools' performance is adequate may be accredited.

-- used mean scores (a practice that should be used only in norm-referenced testing) as the performance criterion for the BSAP series instead of establishing a minimum level of basic skills achievement to be reached by each student and a percent of students who must meet this minimum if a school is to be accredited. (See Student Performance section, p. 115.)

-- allowed external considerations, such as the number of districts likely to fail to reach a criterion, to influence selection of the required performance level, instead of basing the criterion solely on what students must know and what proportion of students must be able to demonstrate these skills. In reviewing internal SDE memos regarding establishment of minimum test score standards, PEER noted that on several occasions department staff reminded other staff who were working with the Accreditation Commission that they should try to avoid setting a minimum performance level that was too high because the department would not be able to help a large number of districts. For example, in a March 1987, internal memo, a high-level department administrator said: "*It is suggested that standards be set so that no more than 20 districts per year are in Level 1 because of poor performance on the outcome measures.*" The standards subsequently set by the board have resulted in designation of fewer than twenty Level 1 (low-performing) districts each year.

- used one performance level (80% correct) on the eleventh-grade basic skills test (the Functional Literacy Exam) for accreditation purposes (i.e., as the average that must be achieved by the district to remain accredited), and established another level (60-70% correct) for determining whether a student would receive a high school diploma (i.e., for judging individual performance). If the board had used the higher standard (80% correct) for judging individual performance, many more eleventh graders would have failed the test. Using the stricter standard, only 59% of eleventh graders would have passed on the first attempt in 1991 (i.e., would have achieved mastery on all three subtests), instead of the 95% passing rate under the less demanding standard set by the board for individual performance. One accountability-related effect of using a lower standard for individual performance is a public perception that the schools are performing their *mission* adequately because 95% of all eleventh graders appear to have mastered the necessary skills. (See Student Performance section, p. 118 .)

By contrast, South Carolina set a relatively high standard for passing an exam used for the same purpose as Mississippi's Functional Literacy Exam. Although many South Carolina students (45%) failed the test the first year it was administered, within four years the passing rate had increased by 11%. Mississippi's passing rate has improved by only 3.4% in the four-year period since the exam's inception. Although one cannot conclude with certainty that South Carolina's increase in the proportion of students passing the test is attributable to the level at which that state set its standards, it is reasonable to assume that students will study harder and learn more when expectations are higher.

Instead of strengthening the validity of the accreditation site visit process and the individual teacher certification process, the Board of Education has sharply reduced the number of site visits planned for the 1991-92 school year--Over the six-year period since the inception of the state's performance-based accreditation system, the Accreditation Commission has recommended and the Board of Education has approved a series of "process standards" or operational procedures with which districts must comply to retain accreditation. Currently, there are approximately 130 minimum and *compulsory standards* set forth in the tenth revised edition of Bulletin 171, The Requirements of the Commission on School Accreditation: Policies, Procedures, and Standards. These requirements are classified in the following areas: Active Educational Leadership, Instructionally Focused Organization, Effective Instruction, Change-Inducing Staff Development, and Positive School Climate. Minimum standards listed in Bulletin 171 are practices considered integral components of an effective educational program. Compulsory standards are requirements based on federal or state law. Over the past five years, the department conducted approximately thirty public school district site visits each year to monitor district compliance with the standards listed in Bulletin 171.

Questions on relationship of accreditation to quality--Although PEER noted disenchantment with the site visit procedure and with standards in Bulletin 171, critics of the process were not uniformly opposed to the concept of process standards or compliance monitoring. Rather, they objected to the process on grounds that a district's success in the accreditation process is no assurance of quality.

For example, some participants in PEER's focus group interviews said the monitoring procedure is invalid because it is not objective. (See section on the evaluator selection procedure, p. 132.) Others said the process standards have lost their significance because the Accreditation Commission and the board have deleted some of the more demanding and controversial requirements. Among the latter is an early standard requiring that evaluators assess the in-class teaching performance of a certain percentage of the district's teachers as part of the site visit procedure. The Accreditation Commission and the board deleted this requirement and the accompanying standard soon after the department conducted the first site visits.

The absence of any review of classroom instruction as part of the accreditation process is significant because the Board of Education currently has no valid procedure for externally reviewing classroom instruction through the teacher certification procedure. As the central element of the entire system of education, classroom instruction must meet high standards if student achievement levels are to improve. However, the board currently has no valid procedure in place to ensure that classroom instruction is routinely reviewed by objective, external evaluators and that deficiencies are corrected.

Absence of classroom instruction review from teacher certification process: The provisional teacher evaluation process required by MISS. CODE ANN. Section 37-3-2 stipulates that an observational instrument should be used to evaluate the on-the-job performance of a teacher during the provisional (first) year of teaching. However, the procedure currently used for evaluating on-the-job performance of provisional teachers is not valid because the evaluation of first-year teachers is conducted entirely by district personnel. The absence of any requirement that at least one of the three people evaluating a first-year teacher be external to the district directly violates the primary criterion for validity set forth by a task force of evaluation consultants hired by the department. That task force, which included eleven individuals from the state and the nation with expertise in establishing minimum proficiency scores, developed cutoff scores for determining whether a provisional teacher passes the Mississippi Teacher Assessment Instrument (MTAI). The department uses the MTAI to evaluate provisional teachers. In a 1987 report, these evaluation consultants clearly stipulated that the cutoff scores they recommended would not be valid if the stipulation that one evaluator be **external to the district** is not met.

The task force said they based this recommendation on the assumption that "an external evaluator was considered crucial to the successful implementation of the assessment process and the intent of the MTAI in improving instruction." Further, the task force said, "The experience of other states has shown that without an external evaluator, the systems have failed in their goal of adequately assessing teacher competency." The task force considered the external evaluator, which it defined as **"external to the district,"** to be "the most critical for the successful implementation of the MTAI."

Faced with pressure from local superintendents, who expressed concern to department administrators regarding the logistical and financial burden of acquiring an evaluator outside of the school district, the department and the board changed the definition of "external evaluator" from "external to the district" to "external to the school." The absence of any fully objective, external review of classroom instruction leaves the system vulnerable to political influences within districts that can neutralize attempts to identify and correct deficiencies.

Reduction in number of site visits: In spring 1991, the Board of Education approved a recommendation by the State Superintendent to discontinue scheduled accreditation site visits for school year 1991-92. Instead, the State Superintendent said the department would conduct only six unannounced site visits. While conducting unannounced visits may improve the validity of the site visit assessment procedure, this reduction in the number of site visits in the current school year is part of a larger movement by the Superintendent and the Board of Education toward placing less emphasis on the process standards listed in Bulletin 171. Further evidence of this shift can be seen in the board's recommendation that the Legislature exempt certain districts from most state regulations included in Bulletin 171. (See section on Levels 4 and 5 below, p. 134.) Also, individual members of the board have stated they intend to place less emphasis on the process standards and greater emphasis on outcome measures in the state's accreditation system, although the process standards might continue to be used for diagnostic purposes. [During the course of this review, the board took preliminary action to resume the regular site visit schedule for the 1992-93 school year.]

Many local school district administrators and teachers have been critical of the process standards and the site visit procedure. The validity of some aspects of this procedure may be questionable; however, its basic premises, that effective schools share certain measurable characteristics and that the presence of these characteristics improves the likelihood of a school's effectiveness, have not been disproven by the department, the board or the education research community. Nevertheless, the superintendent and the board have chosen to diminish the importance of the process standards and the department's procedure for monitoring districts' compliance with these standards.

Instead of further diminishing the importance of the site visit process by deleting the only external review of classroom instruction in the department's system of regulatory procedures, the board could have addressed legitimate criticism of the monitoring procedure by improving the procedure's validity and maintaining its central position in the accreditation process at all levels.

The Department of Education has not ensured that all of the department's organizational units involved in accreditation monitoring consistently report noncompliance findings to the Accreditation Division for action by the Accreditation Commission--Certain bureaus within the Department of Education have failed to report school district violations of accreditation standards to the Accreditation Division. For example, the department's Chapter 1 (remedial education) program staff are required to notify the Accreditation Division when Chapter 1 schools have violated accreditation standards. However, assessment staff and Chapter 1 staff said a formal notification process does not exist within the department. Chapter 1 staff include a "cc: Accreditation Division" note on letters to districts concerning accreditation violations, but Chapter 1 staff told PEER staff that they do not uniformly follow through by actually sending a copy of the letter to the Accreditation Division. As a result, instead of learning of accreditation violations from the Chapter 1 program staff, one administrator was notified of a violation by local school district personnel.

In addition, district compliance problems in certain other areas, including fiscal management, sometimes are not reported to the Accreditation Division. The department's Administration and Finance

Office, which monitors district compliance with fiscal standards, reviews school districts' annual audit reports to determine whether districts have complied with laws governing expenditure of state and federal funds. However, the Administration and Finance Office did not notify Accreditation Division staff that the Administration and Finance Office had found a district to be in violation of accreditation standard 28 after two consecutive audits. Standard 28 requires full compliance with all state and federal laws and policies related to Chapter 1 programs. In the case of that district, the Department's Administration and Finance Office did not notify the Accreditation Division that the school district in question had not yet documented corrective action on several audit exceptions that had been noted two years earlier. Although the Department of Education had received no such documentation, the department recommended and the Accreditation Commission and State Board of Education granted "Accredited Clear" status to this district in October 1991. This situation could have been avoided if the department had developed and enforced strict policies calling for the unfettered flow of correspondence on compliance problems between the Accreditation Division and monitors in other divisions.

The Department of Education has not developed a system for selecting evaluators that would afford full objectivity in the site visit process-- Although the department's accreditation auditors coordinate school district site visits, these accreditation auditors cannot perform an entire school district assessment without additional evaluation personnel authorized in MISS. CODE ANN. 37-17-6. The department's accreditation auditors select and train evaluators from other school districts as well as from colleges and universities. However, the department does not schedule evaluators in an objective manner. Instead, evaluators sign up for site visits in which they wish to participate. As a result, evaluators potentially can choose to assess districts administered by their friends. This procedure decreases the likelihood of an objective review, increases the probability that opportunities for improvement might be missed and decreases the respect that some observers, including many teachers interviewed by PEER, hold for the accreditation system in general.

The State Board of Education has not developed a policy that would restrict the "distinguished achievement district" and "model district" designation to those districts with consistently high levels of performance or high levels of improvement in all schools-- Several aspects of the Board of Education's development and implementation of Level 4 and 5 criteria have been problematic. First, the process used in developing and approving a series of criteria for these designations was marked by indecision and frequent delays. Second, the criteria which the board finally approved may permit districts with low-performing schools to attain Level 4 and 5 designation. Finally, by exempting Level 4 and 5 districts from all process standards imposed by the board and by asking the Legislature to exempt these districts

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from virtually all state regulations, the board may inadvertently promote a decline in the performance of schools whose quality may already be questionable.

- The standard-setting process was characterized by indecision and frequent delays. MISS. CODE ANN. 37-17-6 required that the board complete and implement a full, performance-based accreditation system by the 1986-87 school year. Five years after this deadline had passed, in August 1991, the Board of Education completed its development of accreditation standards by adopting a set of criteria for districts to be designated "distinguished achievement districts" and "model districts" (Levels 4 and 5). These criteria actually are not scheduled to be in place until the 1992-93 school year.

  In considering criteria for Level 4 and 5 status, the Accreditation Commission repeatedly asked its measurement consultant to determine how many districts would qualify under various combinations of criteria. This concern about the number of districts that would qualify demonstrates that the Department of Education, the Accreditation Commission, and the Board of Education may have been under pressure from the districts to establish criteria that were as inclusive as possible.

  After delaying proffering recommendations for Level 4 and 5 criteria for five years, the Accreditation Commission presented a Level 4 and 5 accreditation model to the State Board in November 1990. That model would have required that a district demonstrate compliance with all minimum and compulsory standards and meet all long-term minimum test performance standards in order to be eligible for consideration for Level 4 or 5 status. In addition, a floor would have been established regarding the percent of students in the district who could perform at a level below the 25th percentile nationally. The latter criterion is generally referred to as the "quartile" criterion because it limited the number of students in a district who could fall in the lowest quartile nationally. The Accreditation Commission, which had worked with a measurement consultant over a period of several years to arrive at these criteria, also recommended several other outcome measures for Level 4 and 5 eligibility, such as percent of students dropping out and percent enrolled in the core curriculum required for admission to a state institution of higher education.

  In November 1990, four years after the Level 4 and 5 criteria were to have been in place, representatives of the Accreditation Commission met with the State Board of Education to discuss the commission's tentative criteria. A tentative calendar suggested by the Accreditation Commission would have put

Level 4 and 5 criteria in place in December 1990, a time frame that would have permitted implementation during the 1991-92 school year. The State Board of Education, however, did not approve the criteria suggested by the Accreditation Commission. Instead of working with the commission during its multiple-year period of deliberation and endorsing the commission's final recommendation, the board chose to wait four years to hear the commission's position, then, in November 1990, appointed an *ad hoc* board subcommittee to work with the Accreditation Commission in developing standards. In the minutes of the meeting at which Accreditation Commission representatives presented their ideas and in subsequent memos surrounding later discussion of Level 4 and 5 criteria, PEER found no evidence that the Accreditation Commission took a strong stand in defense of the tentative criteria that the commission had suggested.

The final recommendation which the the Accreditation Commission and the *ad hoc* State Board subcommittee made to the full State Board included the "accredited clear" and quartile criteria described above, but the full board rejected these criteria in the Level 4 and 5 specifications that the full board finally approved in August 1991. Following is a discussion of the criteria approved by the board.

-- Current criteria may permit low-performing schools to qualify-- The Board of Education's criteria require only that outcome measures be considered in designating a district as "distinguished." The board did not include in Level 4 and 5 criteria any consideration of the extent to which the district has certain processes in place, such as a principal who functions as an academic leader and the presence of a systematic, well-defined curriculum. In so doing, the board discarded the notion that characteristics of effective schools are determinants of quality, a notion that it had earlier embraced and that forms part of the base for designating districts at the minimum acceptable level of accreditation. The board discarded this notion with no apparent attempt to study its legitimacy. (See discussion of the relation between minimum and compulsory standards and effective schools, p. 133.)

Further, the Level 4 and 5 performance standards approved by the Board of Education use district average scores, not the proportion of students meeting minimum acceptable criteria (in the case of basic skills tests) or individual school averages (in the case of nationally normed achievement tests), to determine eligibility for Level 4 and 5 designation. (See discussion of analysis of test results, p. 114, Student Performance Section.) Also, the criteria approved by the board do not establish a floor that would prevent districts with widely heterogeneous student bodies from tolerating very low performance on the part of some students and/or schools, as long as the performance of other students is sufficiently high to bring the average up to the criterion level. (See discussion of the relatively low performance of some schools in districts meeting "distinguished achievement" criteria for basic skills, p. 114.)

Finally, the board's criteria for bestowing Level 4 and 5 designation lacks any safeguard against designating a district Level 4 or 5 at a time when the district's quality may actually be declining. The board could have included such a safeguard by requiring that a district's performance be higher than (or at least equal to) the same district's prior year performance, or higher than some multi-year average for that district. South Carolina's reward system is based on a school gain index for student performance, as well as year-to-year improvement in other areas of performance, such as student and teacher attendance rates. By omitting such longitudinal comparisons from Mississippi's criteria, the board has neglected an important dimension in school improvement.

-- Exemptions from minimum and compulsory standards may negatively affect the quality of schools whose performance is already marginal--In adopting the criteria for these levels, the Board declared that attaining Levels 4 and 5 would entitle a district to "annual exemptions from all accreditation standards as listed in *Bulletin 171* except the following: high school graduation requirements, test security requirements, health/safety standards and financial standards." The board noted that exemption from standards based in state statutes would depend on legislative action granting the board authority to permit such exemptions.

The Level 4 and 5 criteria approved by the board would impart honors and exemptions from regulation without assuring that individual schools in a district attain minimum standards and continually improve. Permitting entire districts, including any marginal schools within those districts, to disregard process standards that the board requires for even the best schools in districts at the minimum acceptable level of accreditation raises questions of fairness. In addition, even if these deregulation measures were granted to a school for only one year, such a system of rewards might permit marginal schools to neglect or dismantle processes that are important to continuing improvement.

The Department of Education, the Accreditation Commission, and the State Board of Education have not included student performance criteria for specialized program areas, such as Special Education, Vocational Education and Chapter 1 remedial education, in accreditation criteria at any level (1-5)--The state accreditation law (MISS. CODE ANN. Section 37-17-1 through 9) requires that the accreditation system be "performance-based." That is, the system must consider student outcomes (e.g., test scores, dropout rates) in determining whether a district will be accredited. In the accreditation procedure currently in place, this requirement is fulfilled to a limited extent by the presence of such performance measures as student achievement on standardized tests. Also, districts must reach a 75% high school completion rate (i.e., the dropout rate may not exceed 25%) to reach Accreditation Levels 4 and 5 ("Distinguished Achievement") status under procedures approved by the Board of Education in 1991. However, each of these performance measures applies primarily to the regular program of education.

In addition to the regular program of education, the state administers, and districts offer, special, remedial, and vocational education programs. In FY 1991, approximately 289,000 Mississippi students participated in at least one of these specialized programs. (This count is duplicated to the extent that students participated in more than one of these programs.) The FY 1991 state and federal appropriations for these programs totalled at least $258 million.

Although millions of dollars in public funds are used to support these programs and thousands of students depend on them to receive specialized educational services, the state places no minimum student performance requirements on special, remedial and vocational education programs for accreditation purposes. The primary purpose of each of these programs is to improve students' knowledge and skills. Nevertheless, districts do not have to demonstrate that participating students meet any particular knowledge or skill level, nor do they have to demonstrate an overall improvement in students' knowledge and skills in comparison to prior years' achievement to remain fully accredited. As long as districts comply with all federal and state procedural requirements, they are under no obligation for purposes of accreditation to show that, on the whole, participating students' performance has reached any specified standard.

Special Education: In the case of special education, federal and state requirements mandate the preparation and periodic update of an individualized education plan (IEP) for every special education student. In these plans districts note which skills are to be taught and which earlier skill objectives the student has achieved. However, the board does not require that districts report the extent to which students have attained the target achievement levels (e.g., the percent of learning disabled students reaching a specified level of improvement in reading performance one year after being placed in a special education program). In fact, neither the board nor the federal government requires that districts collect and review performance improvement information for internal program evaluation purposes. Without such performance data, parents and the public have no assurance that students actually benefit from the special education programs provided by the districts, or that districts will focus on the most crucial areas in their efforts to improve special education programs.

Chapter 1: Chapter 1 compensatory education program procedures ensure a slightly higher level of accountability for student performance, but this is the case as a result of federal, not State Board of Education, requirements. These requirements include annual local reviews of the effectiveness of each Chapter 1 project (the program in every school receiving Chapter 1 funds), as measured by the performance of participating students as a whole in comparison with desired outcomes. Federal requirements also require a full, performance-based program evaluation every three years. This evaluation must include a review of the extent to which improvements in student achievement are sustained over a period of more than one year. Although districts must collect performance data and report it to the federal government, the state Board of Education has established no performance standards specifying an acceptable level of improvement in academic skills. As a result, a district that cannot demonstrate even a minimum level of student improvement can remain fully accredited. Further, districts meeting Accreditation Level 4 and 5 standards ("Distinguished Achievement" districts) established by the board are under no obligation to demonstrate improvement in the skills of Chapter 1 participants.

Vocational Education: In the case of vocational education programs, a Board of Education policy requires that local programs maintain certain levels of enrollment, retention and placement to retain funding, but the board does not strictly enforce this policy. (See section on vocational education funding for low-priority programs, p. 86.) However, even if this policy were enforced, it would ensure only that students were participating in the program and, to some extent, finding related jobs or continuing their education. The board places no quality control requirements on districts to ensure that vocational students have the skills necessary to perform successfully the jobs for which they are preparing.

As a result of recent Board of Education actions, the board will begin basing certain accreditation decisions almost exclusively on a limited system of outcome measures without developing a valid, comprehensive system for measuring student performance and other system outcomes--In recent months the board has placed less emphasis on process measures, resulting in a heavier reliance on outcome measures for arriving at accreditation decisions. However, the existing system of outcome measures is incomplete in many respects.

Less emphasis on process standards: By taking the following action, the Board has decreased the importance it places on its system for identifying and monitoring the characteristics a school must have to be considered effective:

- In March 1991, the board approved a moratorium on all regularly scheduled site visits for monitoring district compliance with the minimum and compulsory standards listed in *Bulletin 171*. (*Bulletin 171* lists the characteristics a school must have to be considered effective and therefore to be eligible for accreditation at Level 3, the minimum acceptable level.) As of January, 1992, the board had not issued a statement as to when or under what conditions the department would resume a full schedule of site visits for monitoring compliance with process standards.

- In August 1991, the board approved a series of criteria for designating districts "distinguished" or "model" districts (Levels 4 and 5). The board excluded from these criteria any stipulation that a district comply with the process standards listed in *Bulletin 171*. That is, to be eligible for the highest levels of accreditation a district does not have to be "accredited clear," a designation awarded to a district meeting all process standards and minimum student performance standards. Level 4 and 5 criteria are based almost exclusively on student and system outcomes.

- Also in August 1991, the board approved a statement of intention to seek from the Legislature the authority to exempt Level 4 and 5 districts from all state requirements mandated by law except student graduation requirements, safety requirements, test security requirements and certain financial standards.

Greater need for a valid, comprehensive system for measuring outcomes: In diminishing the importance of the current system of process standards, the board has placed a greater burden upon the existing system of outcome measures in distinguishing between schools that are effective and those that are ineffective.

Weaknesses of current system for measuring school outcomes: Although the board has increased its reliance on the current system for measuring school outcomes, the current system of outcome measures is not comprehensive for the following reasons:

- The board has reduced the number of grade levels covered by the existing system for measuring students' attainment of basic skills. The system currently limits the measurement of basic skills attainment to the fifth- and eleventh-grade levels. Effective April 1992, the board eliminated grades 3 and 8 from the Basic Skills Assessment Program. Current BSAP results

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demonstrate high levels of student failure in basic skills at the eighth-grade level. (See student performance, pp. 115 through 120.) Ideally, the board would take note of this problem, set a goal for improving eighth grade performance in basic skills, and continually measure progress toward achieving this goal. The board's decision to drop grade 8 from the BSAP program will discontinue the collection of any information that might have assisted it in determining its success in improving eighth-grade basic skills.

-- There are no high school performance measures and other high school outcome measures. The current statewide testing program at the elementary level consists of the Basic Skills Assessment Program at the fifth-grade level and the Stanford Achievement Test at the fourth-, sixth- and eighth- grade levels. The only performance measure currently in place at the high school level is the Functional Literacy Examination (FLE), the eleventh-grade component of the Basic Skills Assessment Program. As a test of basic academic skills needed for survival, the FLE is not intended to determine whether students are achieving at a true high school level. Tests that would measure actual high school achievement are subject area tests, such as Algebra I and II, social studies and biology tests. The accreditation timeline published in *Bulletin 171* shows that the board intended such tests, as well as other outcome measures such as dropout rates and enrollment in core curriculum subjects required for college admission, to be in place and used in making accreditation decisions by the 1990-91 school year. However, none of these measures currently is in place and used for accreditation purposes. The department has administered the Algebra I test, but the board has not included the results of this test in any accreditation decisions.

- *The Superintendent and the State Board of Education have discussed their intent to measure higher-order thinking skills and to adopt more authentic measures, but no valid tests of those types currently are in place and there has been no corresponding build-up of testing staff.*

In recent PEER interviews, Board of Education members and the State Superintendent have justified the decline in emphasis on process measures by stating that they intend to place greater emphasis on higher-order thinking skills and to adopt more authentic measures of student achievement. ("Authentic" measures, such as writing exercises and student portfolios, are designed to assess more complex knowledge and to provide students opportunities to demonstrate knowledge and skills in more authentic ways than is the case for traditional multiple choice tests.) However, the board currently uses only one form of "authentic" test, the writing test that is part of the Basic Skills Assessment Program. Eighth-grade students' relatively high performance on the writing test in spite of severe deficiencies in the same students' reading performance raises some questions regarding the validity of this test (see page 119).

Further, the Department of Education has allocated only four professional positions to its Testing Division, demonstrating a possible failure to recognize the importance of this organizational unit in improving current measures and in developing new outcome measures. In addition, the Department of Education's FY 1993 budget request does not include a request for developing new, more authentic tests or new tests of higher-order thinking. Either area of testing would require a heavy commitment of funds to test development and validation.

PEER is not advocating appropriation of large amounts of funds to these areas of assessment. Rather, the Committee questions the Board of Education's wisdom in sharply reducing the emphasis it places on a complex system of process measures developed by the department over the past seven years and in increasing its dependence on a system of outcome measures that is not fully developed or refined.

A Comprehensive Evaluation System

A comprehensive system of evaluation provides information for accountability as well as for planning and improvement. Mississippi educators at state and local levels use annual statewide test results primarily for purposes of accountability. Some educators also use test data to identify strengths and weaknesses in student performance for purposes of improving instruction. A comprehensive evaluation system, however, goes well beyond student assessment to review all programs and processes at the school and district levels that affect student performance. Instead of placing blame, local internal evaluation programs provide insight into alternative solutions for problems and help teachers and administrators assess the effectiveness of these alternative solutions.

Categories of Evaluation

Evaluators commonly classify evaluation efforts as *formative* or *summative*. The distinction between the two types of evaluation is useful in considering the information collection and analysis tools that are available to educators for informing the public and for improving the process of education. This distinction also can be employed in reviewing the use that Mississippi's system of education currently makes of these evaluation tools.

The function of *formative evaluation* is to collect information in order to "form" or modify an ongoing program. Formative evaluations generally

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provide information that is useful in program improvement. *Summative evaluations* provide information to help the public and program participants determine whether the program has met standards or other expectations. In the strictest sense, summative evaluations are used for accountability purposes, while formative evaluations provide feedback for program modification. The following sections describe these forms of evaluation in greater detail and note areas, such as educators' use of student assessment data, in which information collected primarily for summative evaluation purposes also is used in improving programs.

Summative Evaluation

Summative evaluation as an accountability tool--Summative evaluation programs are used in accounting to the public for the benefits derived from use of public resources. Generally, they are conducted by external evaluators; they occur at one point in time, rather than repeatedly throughout the program's development; and they review program effects in a scientifically rigorous manner. In the area of education, statewide testing and accreditation programs designed for purposes of accountability are primary forms of summative evaluation because they have these characteristics.

-- Such programs are external to the school. Consistent with the nature of summative evaluation procedures, statewide testing programs are mandated by state legislatures seeking information for their own use and that of the public in determining whether the schools they fund are accomplishing their objectives. In addition, statewide testing and accreditation programs are developed and implemented by personnel within state departments of education. These state employees oversee student testing programs and conduct accreditation reviews that take place within districts and schools. External evaluators design and administer statewide testing instruments to permit inter-district and inter-state comparisons of student performance. Similarly, in many states external evaluators design and administer accreditation programs to determine whether districts will remain eligible for public support.

-- Such programs occur on a one-time basis or at long intervals. Summative measures occur at one point in time. They are analogous to a single opportunity that a marksman on a shooting range might have to hit a target. Statewide testing and accreditation decisions occur annually, providing a single opportunity to demonstrate district accomplishments for a given year.

- Such programs are scientifically rigorous, providing information on all aspects of program achievement. Because they are intended to be comprehensive in nature, summative evaluations of state and local education programs should sample the domain of outcomes that students are expected to achieve. A statewide testing program alone may not provide sufficient information for accountability purposes. High levels of student ability and performance comprise the ultimate goal of educational efforts. Therefore, summative evaluation measures should be restricted to student performance assessment unless valid measures are not available to adequately measure students' progress in all areas of interest. Given the current state of student assessment technology, evaluators lack valid measures of students' ability and achievement in many areas. Examples are students' enthusiasm for lifelong learning, their creativity and their intention and ability to contribute to society as productive citizens.

  In the absence of valid tests in these areas, accountability programs may employ outcome measures other than student assessment instruments to determine whether the primary goals of schools are being accomplished. Examples include measures of dropout rates, parental satisfaction, higher education institutions' perceptions of the adequacy of students' preparation and indicators of students' interest in education and ability to pursue long-term goals. As a result of the limitations of standardized testing, summative evaluation programs, such as state accreditation systems, may include indicators other than those designed to assess students' achievement. As indirect measures of student characteristics, some of these evaluation activities may provide insights into school processes and therefore may be useful to internal program evaluators seeking input for improving programs and ultimately improving student performance.

Limitations of Summative Evaluation Activities--Planners can use the information gleaned from summative evaluation activities such as statewide testing, but program planning and improvement are not foremost among summative evaluators' purposes, which center on program accountability. Although summative evaluations may contribute to program improvement by helping educators identify areas of strength and weakness in student performance, they do not yield information on the many factors that affect student performance.

In other words, statewide testing and other summative activities may tell educators whether what they are doing is working, but these testing activities do not evaluate the components that might be contributing to success or failure. For example, students in a particular school may perform poorly on local and statewide tests. Their failure may be attributable to classroom management problems, but performance test results do not help state, local or school planners identify the cause of poor performance.

The marksmanship analogy can be helpful in understanding the limitations of summative evaluation. Limited to a single shot, an inaccurate marksman acquires little information on the reasons for his or her inaccuracy and what he or she might do to improve. By contrast, a marksman who is not constrained by the one-shot rule may design his or her own system of trials to determine whether the cause of inaccuracy is wind, gun sight or some other factor.

Formative Evaluation

Formative evaluation as a school improvement tool--Unlike summative evaluations, which usually are conducted by external evaluators, formative evaluation activities are internal to schools or programs. Individuals conducting formative evaluations review:

* what the school is trying to accomplish at the individual classroom level;

* what the district, the school and the teacher intend to do to ensure that these things are accomplished;

* whether they carry out their intentions effectively; and,

* whether they have evidence that the desired outcomes in academic performance, classroom management, curriculum and materials development, student retention, or any other area are taking place.

Formative evaluation activities are conducted for the purpose of feedback for improvement. For example, if learning cannot take place because of frequent disruptions, the focus of formative evaluation for teachers and administrators would be a review of classroom management procedures and development of alternative solutions, such as in-school suspension or parental involvement. Evaluators then would review the effectiveness of activities introduced to solve the problem. Ideally, formative evaluation activities take place continually throughout the life of a program.

Often conducted by practitioners within a program, formative evaluations generally are not as scientifically rigorous as summative evaluations. At the school and district levels, teachers and administrators can learn to use the tools of formative evaluation to identify problems and review their own effectiveness in solving them.

Mississippi's Evaluation System

Mississippi's state-mandated evaluation system currently is limited to student assessment at state and local levels and process reviews conducted at five-year intervals. These assessments are used for purposes of accountability, but are of limited use to teachers and administrators seeking to improve their schools.

PEER found that the state's current approach to evaluation in education provides local educators with insufficient information on which to base improvements at the district, school and classroom levels. Also, the Board of Education's move toward deregulating the activities of districts whose students perform well on statewide tests (see page 137) in the long run may inhibit maximum achievement in these districts by focusing on one-time outcome measures instead of on the districts' capacity for continuously improving the process of education.

Statewide testing and the annual district accreditation process are designed for purposes of accountability in response to legislative and popular demands for assessment of quality. These demands arise from a widespread interest in the state's school children and their future, as well as concerns about what the public is getting in return for its investment in schools.

In its focus group interviews (see page 32), PEER staff found that many teachers and administrators doubt that measures such as BSAP, the Stanford Achievement Tests and the school district accreditation process have any real utility within the schools. From the perspective of these educators, the Legislature and the Department of Education impose these tests and reviews upon local districts, who take them seriously only because of the funding and public relations implications of poor performance.

The Department of Education trains administrators in using test results for school improvement purposes, but many educators told PEER staff they are not convinced of the usefulness of these measures for identifying and solving the real, day-to-day problems they see in their schools. Nevertheless, these summative evaluation measures currently are the only systematic source of evaluative information at the district and school levels.

The feedback educators receive from the statewide testing program is limited to which objectives students are or are not mastering. While this information is essential in improving programs, student assessment is not synonymous with evaluation. Such assessment does not reveal factors inhibiting student performance, nor does it help educators determine which alternative solutions are most effective in a given school. Locally-based formative evaluation and school improvement procedures monitored through the department's accreditation process would provide educators with additional tools for achieving student performance gains.

Further, because they are primarily tools for accountability, existing evaluation methods are used to fix blame instead of serving as neutral sources of information for school improvement purposes. Viewing results from a defensive posture, educators may be more inclined to explain away evidence of shortcomings than to use this information as a basis for constructive change.

Restricting the focus of accreditation to summative measures can be effective only if schools and teachers have the capacity to be self-correcting through formative evaluation processes. Nevo, an educational researcher, described the hazards of attempting to use external evaluation (such as statewide testing and accreditation) without an accompanying internal evaluation component.

> *. . . [T]he existence of internal evaluation within the school is a prior condition to any constructive utilization of external evaluation. [A] school that does not have an internal mechanism for its self-evaluation will have difficulties in developing positive attitudes towards evaluation, and [will] lack the self-confidence necessary for a constructive dialogue between the school and external evaluation.. . . . [T]hose who are interested in summative evaluation should encourage schools to develop internal evaluation mechanisms, not instead of external evaluation but as prior conditions for effective external evaluations* (Nevo, 1991).

Vocational and Technical Education

Mississippi has no policymaking/oversight authority for vocational and technical education.

Vocational and technical education programs in the state of Mississippi are according to law to be administered by a Mississippi Vocational and Technical Education Board. MISS. CODE ANN. Sections 37-31-205 and 37-31-207 (1972) empower this board to expend funds and approve programs for vocational and agricultural education programs. CODE Section 37-3-25 provides that the Mississippi Vocational and Technical Education Board shall appoint a director of the Division of Vocational and Technical Education who shall be an associate state superintendent of education. This division director serves at the will and pleasure of the Mississippi Vocational and Technical Education Board.

A structure for the Mississippi Vocational and Technical Education Board was specifically provided for under CODE Section 37-31-203 (1972). This section provided for a seven-member board appointed by the Governor. Five members were to be appointed, one from each congressional district, and two from the state at large. Additionally, this section provided that if the constitutional amendment proposed in Senate Concurrent Resolution 506, Regular Session 1982, was adopted, then the State Board of Education would be the Mississippi Vocational and Technical Education Board, and the previously mentioned board would become advisory. This section also contained a repealer effective June 30, 1986.

Because the constitutional amendment previously mentioned was ratified by the electorate in 1982, the State Board of Education became the Vocational and Technical Education Board as provided for under CODE Section 37-31-203. Because the Legislature took no action on the repealer of Section 37-31-203, the Board of Education's authority over vocational-technical education legally ended on June 30, 1986. The repealer affected those provisions making the State Board of Education the governing board for vocational and technical education and all provisions which established a seven-member State Board of Vocational and Technical Education. Thus at present, no policymaking body exists with authority over the Division of Vocational and Technical Education of the Department of Education. There should be a clear statement of law which vests in some authority the policymaking and oversight responsibilities for vocational and technical education. Without such there is no assurance that programs will be carried out in a manner consistent with policies or that there will be new, valid policies formulated to govern vocational and technical education.

The issue of authority over vocational education is further complicated by the relationship set forth in CODE Section 37-3-25, which requires the Associate Superintendent for Vocational Education to report directly to the State Board of Vocational Education. This section could allow the Associate Superintendent for Vocational Education to bypass the State Superintendent, potentially impairing the Superintendent's capacity to ensure system-wide policy, planning and implementation, as required by Section 37-3-12. As federal regulations and state human resource needs call for closer integration of academic and vocational instruction, this structure could impede the state's ability to coordinate program planning and delivery adequately.

However, the Board of Education has adopted a policy placing the Associate Superintendent for Vocational Education under the direction of the State Superintendent of Education. If the Legislature were to reinstate the authority of the State Board of Education as the policymaking and oversight body governing vocational education, the State Superintendent would be able to exercise this authority for system-wide planning and policy implementation.

The State Department of Education's statutory control over community and junior college vocational funding is incompatible with the Legislature's intent that the community and junior colleges "be the presumptive deliverers of public post-secondary training . . . under federal and state vocational and technical acts (MISS. CODE ANN. Section 37-4-1)."

- *The Department of Education's control over state and federal vocational funds is consistent with MISS. CODE ANN. Section 37-31-7, which authorizes the department to administer "funds provided by the state and federal governments for the promotion of vocational and technical education not terminating in a bachelor's degree."*

The Legislature enacted this provision early in the twentieth century to authorize expenditures of grant funds the state received under the 1917 Smith-Hughes Act, a precursor to the federal Carl Perkins Act, which currently provides vocational education funding. As the sole agency administering schools and junior colleges, the Department of Education administered all funding for junior college academic and vocational programs until 1986.

The Legislature removed administration of the community and junior colleges from the authority of the Department of Education and created the State Board for Community and Junior Colleges in 1986. In creating the Community and Junior College Board, the Legislature expressed an intent that the state's community and junior colleges be the "presumptive deliverers" of public post-secondary training.

In compliance with its earlier mandate for governance of vocational and technical education and as the agency authorized to spend the annual vocational education appropriation, the Department of Education continues to control the distribution of state and federal vocational funds to the community colleges (approximately $21 million in state vocational education general funds, $1.3 million in state industrial start-up training general funds and $8.6 million in federal Carl Perkins funds in FY 1992).

- *In complying with the state's original vocational education legislation, the Department of Education exercises such fiscal and programmatic control over the delivery of postsecondary training that the community colleges cannot assume their role as the "presumptive deliverers" of postsecondary vocational training.*

Webster defines the term "presumptive" as "providing a reasonable basis for belief or acceptance." Applied to the above community college statute, this definition would indicate that the Legislature intends the community and junior colleges to have sufficient authority and responsibility regarding the delivery of postsecondary vocational training to be considered the accepted deliverers of training at the postsecondary level.

The community colleges cannot assume this role in the absence of control over vocational resources. In addition to controlling the flow of funds to community college vocational programs, the department also exercises full control over community college vocational curricula, which are central to the delivery of training. This authority over curriculum is especially restrictive for the community colleges because of the subjective nature of the discretion which the department exercises over the funding of community college vocational programs.

The department's program funding procedure can result in arbitrary funding decisions because the department has not developed an objective method for applying information on state employment and economic development needs, along with minimum pupil/teacher ratios, to arrive at objective decisions on program continuation or as a basis for formula-based teacher unit funding. (See finding on absence of absolute criteria for funding secondary teachers, p. 86.) Instead, the department uses a subjective procedure for distributing funds for community college teachers and equipment.

The Department of Education can use its discretion over program funding to withhold funds from community college programs that are unwilling to cooperate with the department regarding its curriculum initiatives. For example, the colleges and the department currently are attempting to resolve a dispute regarding the department's effort to change the relationship between the secondary and community college curricula. Department officials said they are attempting to achieve clearer articulation of the two levels of curriculum. While coordination between the two levels is essential, this coordination must be achieved in a manner that is consistent with the Legislature's intent that the community and junior colleges "*be the presumptive deliverers of public post-secondary training.*"

The department is the single state agency receiving federal Carl Perkins funds and administering the federally funded program supported by those funds. The department contracts with community and junior colleges for services funded through the Carl Perkins Act. The colleges' subordination to the department in receiving and spending federal funds violates the Legislature's intent that the colleges serve as the "*presumptive deliverers of post-secondary training . . . under federal . . .vocational and technical acts.*"

For the state's community and junior colleges to function effectively as the "presumptive deliverers" of public post-secondary training, the board with direct policy and oversight responsibilities for the community and junior colleges should have decision-making authority regarding community college vocational programs.

Adult Literacy Education

Mississippi's literacy effort is a patchwork of publicly- and privately-funded programs operating under a variety of rules and regulations and serving an assortment of target groups. (See Appendix O, page 217, for descriptions of the state's literacy programs; Exhibit 32, page 152, illustrates some aspects of literacy program funding.) Although the Department of Education is the only state agency statutorily charged with literacy policy-making responsibilities, major decisionmaking for literacy programs is shared by three state agencies--the Department of Education, the Department of Economic and Community Development and the Department of Finance and Administration.

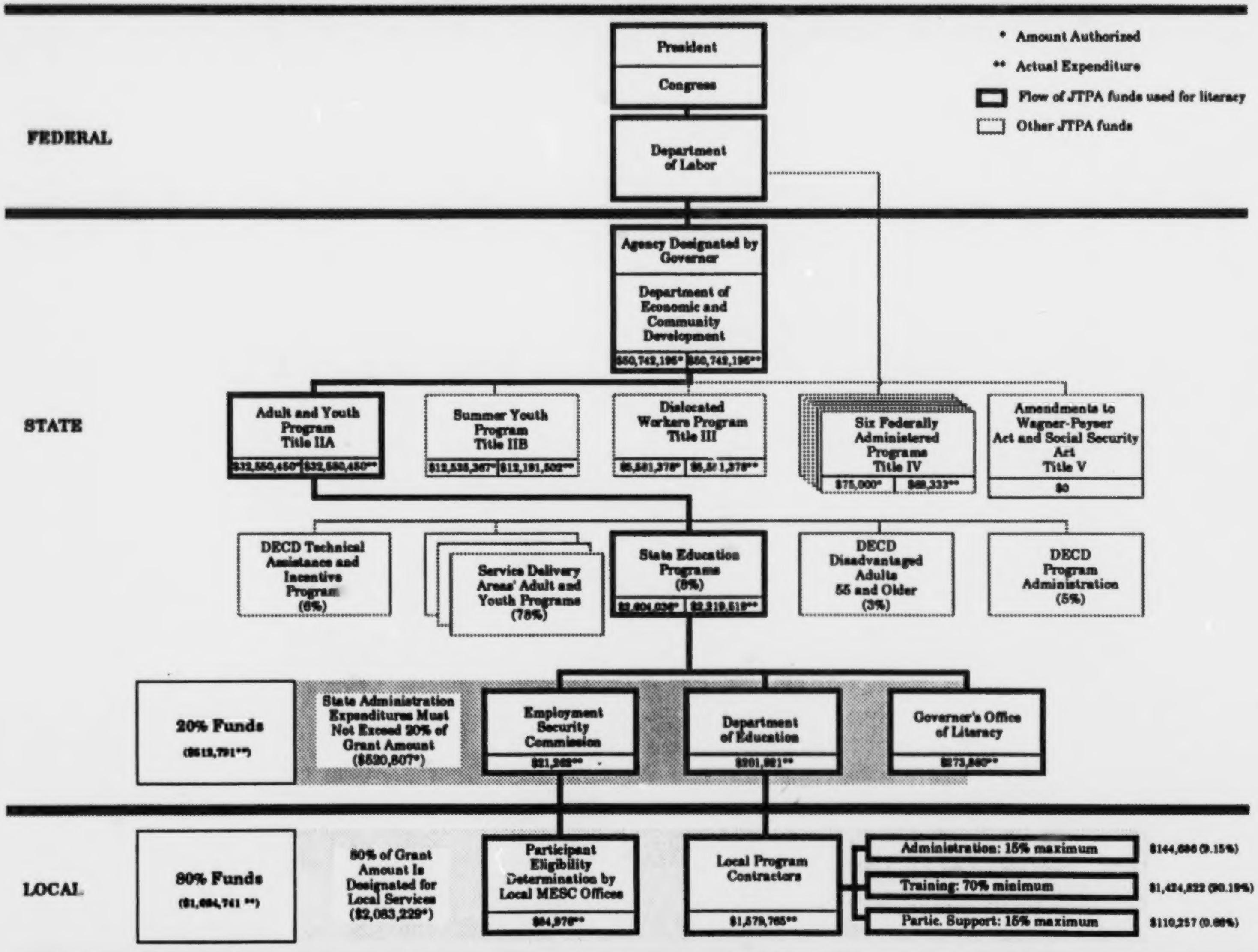
Subsequent to the period of PEER's review of adult literacy programs, on January 31, 1992, the Governor closed the Office for Literacy. He stated that his office will re-evaluate adult education efforts in Mississippi.

Centralization of literacy policy-making by the Department of Education has been impeded by the practice of assigning certain federal funding to the Department of Economic and Community Development, by establishment of a literacy policy-making office outside the Department of Education, and by inaction on the part of the Board of Education.

Mississippi law clearly establishes the Board of Education as the primary policymaker for adult literacy education. A 1940 statute designated the Mississippi Board of Education as the state agency responsible for formulating rules and regulations for a state adult education program whose "*aim and purpose . . . shall be to reduce illiteracy and to provide a general plan of continuing education . . .*" (MISS. LAWS,

EXHIBIT 32

MISSISSIPPI'S FEDERAL JOB TRAINING PARTNERSHIP ACT (JTPA) FUNDS DESIGNATED FOR USE IN ADULT LITERACY PROGRAMS ("8 PERCENT FUNDS"): NEW FUNDS AUTHORIZED FOR FY 1990 AND NEW FUNDS EXPENDED IN FY 1990


* Amount Authorized
** Actual Expenditure
Flow of JTPA funds used for literacy
Other JTPA funds
FEDERAL
President
Congress
Department of Labor
STATE
Agency Designated by Governor
Department of Economic and Community Development
$50,742,195* $50,742,195**
Adult and Youth Program Title IIA
$32,550,450* $32,550,450**
Summer Youth Program Title IIB
$12,535,367* $12,191,502**
Dislocated Workers Program Title III
$5,581,378* $5,581,378**
Six Federally Administered Programs Title IV
$75,000* $69,333**
Amendments to Wagner-Peyser Act and Social Security Act Title V
$0
DECD Technical Assistance and Incentive Program (6%)
Service Delivery Areas' Adult and Youth Programs (78%)
State Education Programs (8%)
$2,604,036* $2,219,519**
DECD Disadvantaged Adults 55 and Older (3%)
DECD Program Administration (5%)
20% Funds ($613,791**)
State Administration Expenditures Must Not Exceed 20% of Grant Amount ($520,807*)
Employment Security Commission
$21,262**
Department of Education
$201,981**
Governor's Office of Literacy
$273,880**
LOCAL
80% Funds ($1,694,741 **)
80% of Grant Amount Is Designated for Local Services ($2,083,229*)
Participant Eligibility Determination by Local MESC Offices
$84,976**
Local Program Contractors
$1,579,765**
Administration: 15% maximum
$144,686 (9.15%)
Training: 70% minimum
$1,424,822 (90.19%)
Partic. Support: 15% maximum
$110,257 (0.66%)

S[illegible]CE: Mississippi Department of Economic and Community Development and Mississippi Depar[illegible] of Education.

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1940, Chapter 177; MISS. CODE ANN. Section 37-35-1). The same chapter authorizes the Board of Education "*to accept for and on behalf of the State of Mississippi, all federal funds made available to the state for the purpose of adult education*" (CODE Section 37-35-5). This section also requires that local expenditure of these federal funds be subject to the Board of Education's rules and regulations.

Nevertheless, centralization of literacy policymaking by the Board of Education has been compromised in recent years by:

- designation of the Department of Economic and Community Development as the agency receiving federal Job Training Partnership Act funds;
- establishment of an Office for Literacy in the Department of Finance and Administration instead of in the Department of Education;
- tacit concurrence of the state Board of Education with action by allowing the Office for Literacy to assume a portion of the policymaking responsibility held by the Board of Education; and,
- exclusion of the Department of Education from representation on the State Job Training Coordinating Council.

Designation of DECD as the JTPA grant recipient. Mississippi's literacy education effort is dependent on federal funds because little state and local funding is available for adult literacy education. Consequently, state agencies controlling federal literacy funds determine the direction of literacy programming in Mississippi.

Of the $6,399,452 spent in FY 1990 by the two largest literacy programs in Mississippi (the Adult Basic Education program and the Job Training Partnership Act program), the federal government provided $4,255,801 (67%). (See pp. 217 through 219 for a description of the ABE/GED and JTPA IIA programs.) Federal funds for these programs originate in the U. S. Department of Education in the case of the Adult Basic Education program and in the U. S. Department of Labor in the case of the Job Training Partnership Act program. The Mississippi Department of Education receives funds from both sources to contract for local literacy services.

Although the Mississippi Department of Education administers the contracting process through which a majority of the state's literacy funds are spent, the department's autonomy in literacy policymaking has been impeded by designation of the Department of Economic and Community Development as the agency receiving federal Job Training Partnership Act (JTPA) funds. When Mississippi's executive branch of government was reorganized in 1989, the Governor designated the new Department of Economic and Community Development as the recipient of federal Job Training Partnership Act funds. (Prior to reorganization, the Governor's Office of Federal-State Programs had administered JTPA funds.) The Governor chose the Department of Economic and Community Development as the recipient of JTPA funds because JTPA is primarily a job training program for adults and out-of-school youth. As such, the Governor viewed JTPA as an economic development tool and directed federal JTPA funds to the state's primary economic development agency.

The major portion of the JTPA program is intended for job training, but 8% of the funds made available through the JTPA Adult and Youth Program (JTPA TITLE IIA program) is set aside by federal regulation to be used in coordinating educational services. In Mississippi, the Governor has designated these "8% funds" for use exclusively for literacy services. Because the Department of Economic and Community Development receives and makes policy for Mississippi's entire JTPA program, any policy development associated with JTPA 8% funds (approximately $2,219,519 in FY 1990) also is in the hands of the Department of Economic and Community Development.

Although the reasons for the existing funding arrangement are legitimate, this funding structure impedes centralization of literacy policy development and coordination of literacy programming because it establishes the Department of Economic and Community Development as a second major player in the state's literacy effort. The Department of Education, the primary player, has been the recipient of and policymaking agency for the other major source of federal literacy funds, the Adult Basic Education program, since 1974. The Department of Education received $2,036,282 in federal Adult Basic Education funds in FY 1990 and spent an additional $147,751 in state Adult Basic Education match funds.

Establishment of an Office for Literacy in the Department of Finance and Administration. The decentralization of literacy education policy development that resulted from designating DECD as the recipient of Job Training Partnership Act funds has been exacerbated by the placement of the Office for Literacy within the Department of Finance and Administration instead of in the Department of Education. The Governor's creation of this office in 1989 placed a third major player in the literacy policy development arena. The Office for Literacy receives no funding or policymaking authority directly from the federal or state government. However, the Department of Economic and Community Development has transferred its JTPA-related literacy education policymaking authority to the Office for Literacy, along with sufficient JTPA 8% education coordination funds to pay the salaries of two Office for Literacy staff members.

Department of Finance and Administration staff said the Office for Literacy was placed within the Department of Finance and Administration because it was established to function as a policymaking (as opposed to a program administration) office. However, the Office for Literacy could have functioned in a policymaking capacity within the Department of Education's Office of Research, Planning, Policy and Development. That office is responsible for planning educational services, developing special initiatives and evaluating educational programs.

Department of Finance and Administration staff also said the Office for Literacy was placed within the Department of Finance and Administration because it coordinates activities of a variety of public and private agencies. However, the Department of Education also is capable of coordinating activities of public and private agencies. The Department of Education received and spent private funds for literacy programs prior to establishment of the Office for Literacy. Further, the Department of Education has coordinated other education-related initiatives with agencies such as the Department of Economic and Community Development, the Department of Public Welfare (now the Department of Human Services), and the Department of Health.

Mississippi's literacy education effort would have remained centralized if the Governor had recommended and the Board of Education had established a strong literacy policymaking and interagency coordinating unit within the Department of Education and if the Department of Economic and Community Development had provided JTPA funding for literacy policymaking staff positions within the Department of Education. The Department of Economic and Community Development channels most JTPA literacy training funds to the Department of Education, which in turn contracts with local service providers. However, involvement of the Office for Literacy leaves the Department of Education with limited authority for setting statewide goals or unilaterally selecting local service providers for JTPA-funded literacy projects. The Office for Literacy, not the Department of Education, establishes policy for the JTPA literacy program. In addition, the Department of Education is only one of three agencies (along with the Department of Finance and Administration and the Department of Economic and Community Development) involved in deciding which local service providers will receive JTPA literacy funds.

Implicit Concurrence by the Board of Education. Not only does the Department of Education play a secondary role in setting policy for use of JTPA 8% literacy funds, the department also permits the Office for Literacy and the Department of Economic and Community Development to participate in selecting local service providers under the Adult Basic Education program. The U. S. Department of Education provides ABE program funds directly to the Department of Education. Nevertheless, Department of Education staff permit Office for Literacy staff to participate in selecting literacy service providers. While consultation with interested staff from other agencies may be desirable in selecting providers of Adult Basic Education and JTPA literacy services, Department of Education staff have permitted Office for Literacy staff to overrule them in selecting at least one ABE service provider.

In that case, the Department of Education's Adult Literacy Branch director had decided against funding a project administered by an individual who had directed an earlier Adult Basic Education project that the department had terminated due to the local contractor's alleged mismanagement of funds. Office for Literacy staff told the Adult Literacy Branch director to fund the program regardless of these problems. This Department of Education staff member said she sometimes refuses requests and suggestions made by Office for Literacy staff members, but she did not think she could refuse to fund this program.

The program in question is supported by the federal government through an Adult Basic Education grant and by state general fund appropriations made to the Department of Education alone. Further, the program is in an area for which the Department of Education alone is statutorily charged with responsibility. Regardless of the accuracy of the Adult Literacy Branch Director's opinion that she could not refuse to fund this local service provider's program, the significance of this incident lies in the fact that any question arose regarding the autonomy of the Department of Education in selecting a service provider for a literacy program that the department administers.

If the Board of Education had established clear guidelines concerning the point at which a Department of Education staff member's obligation to cooperate with the Office for Literacy ends and the department's obligation to apply its own criteria in administering the Adult Basic Education program begins, an incident like this may not have taken place. However, the Board of Education has taken no official position on its relation to the Office for Literacy, which was established specifically to develop literacy policy. The fact that a question arose regarding a staff member's freedom to apply Department of Education criteria in selecting a local service provider gives evidence that policy questions occur when a governing body allows clear lines of statutory authority to become blurred.

Lack of Department of Education Representation. Further evidence of the diminished role of the Department of Education in developing and implementing literacy policy can be seen in the department's exclusion from one of the state's major inter-agency literacy and job training advisory bodies, the State Job Training Coordinating Council. Established to coordinate programs funded through the Job Training Partnership Act, the council includes representatives of the state agencies and other groups. Even though the state education agency is the first agency mentioned in the section of federal law listing types of agencies that would be likely members of such a council, the Department of Economic and Community

Development has omitted the Department of Education from membership on this body. This exclusion further diminishes the Department of Education's ability to lead, or even to participate effectively in, the state's literacy planning efforts.

RECOMMENDATIONS

The State Department of Education should implement all of the following recommendations with existing resources.

Evaluation and Planning Procedures

- **The State Superintendent of Education should direct the Department of Education's Office of Research, Policy, Planning, and Development to coordinate the development of a system of educational indicators which would provide valid and reliable data for use in making education policy decisions.**

  The purpose of an indicator system is to improve an agency's efficiency and effectiveness by linking data collection and analysis to the decisionmaking process. The State Department of Education already has at its disposal extensive educational databases; however, the department does not use this data to evaluate its own performance as it would if these databases were incorporated into a formal educational indicator system.

  In coordinating the development of a valid and reliable system of educational indicators, the Office of Research, Policy, Planning, and Development should ensure that the indicators selected are measurable and cover all aspects of education, including:

  -- inputs (e.g., financial resources committed to education as measured by education expenditures on a program basis; teacher quality as measured by level of education and years of experience);

  -- outputs (e.g., student achievement as measured by standardized tests); and,

  -- processes (e.g., types of instructional methods that a school uses. A example of an instructional method is the use of manipulatives such as cuisinaire rods for mathematics instruction.).

  In order to ensure that the Department of Education has a meaningful system of educational indicators that is linked to the decisionmaking process, the Office of Research, Policy, Planning, and Development should also:

  -- involve all personnel (including classroom teachers) in the development of appropriate indicators;

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- computerize data collection;

- collect data in such a manner that the Department of Education can readily link it to current programs and thereby analyze the effectiveness of these programs on a district-by-district basis; and,

- incorporate analysis of this data into its formal decisionmaking process (e.g., use the analysis in developing and modifying its annual five-year plan and corresponding budget request.)

- **The State Board of Education should overhaul the development and implementation of its five-year plan.**

The Board of Education's implementation of the following steps would result in the development of a true working plan, as is the implied intent of MISS. CODE ANN. Section 37-1-3.

Annually basing the plan on the results of the department's analysis of indicators.

Incorporation of PEER's recommended analysis of educational indicators (refer to previous recommendation on page 158) into the planning process would greatly enhance the department's ability to develop a plan which maximizes strengths and addresses shortcomings in education at the state and local levels.

Ensuring that every goal in the plan is accompanied by measurable, outcome-based objectives for achieving these goals.

Measurable outcome-based objectives specify:

- the extent of the intended improvement (e.g., define current performance and by how much this performance is intended to improve);

- which populations are targeted to demonstrate the improvement (e.g., low-income students, eighth-grade students, all students); and,

- how the improvement in performance will be measured (e.g., annually, quarterly; using which tests or subtests).

For every goal and objective in the plan, designating staffing (i.e., who is responsible for accomplishing each goal and objective), estimating the costs and completion date, and referring to a specific program.

Listing goals and objectives in order of priority so that department personnel will be able to align their staff and resources to these priorities.

The Office of Research, Policy, Planning, and Development should recommend and the State Board of Education should establish priorities based on legislative mandates and on ongoing cost/benefit and effectiveness analyses.

Formally involving all levels of department and district personnel in contributing to the development of the plan and developing a formal mechanism for reaching a consensus on which ideas will be adopted.

A plan does not work unless those involved in its implementation are also involved in its development. This involvement should include classroom teachers who are ultimately responsible for carrying out the department's educational goals and objectives.

Including in the plan only those goals and objectives that the department intends to implement--i.e., not including objectives that "sound good" but which the department does not plan on meeting.

Including all goals and objective in the plan which the department intends to implement.

For example, in the introductory narratives to its FY 1991 Five-Year Plan, the department stated that it supports President Bush's national goals for education improvement, yet the department failed to specifically incorporate these goals and objectives into the plan itself.

Linking measurement of the department's success in achieving current plan objectives to future plans.

The Board of Education should only modify its methods and objectives for achieving specified goals after conducting legitimate research to document that existing methods and objectives for achieving these goals are not working and, if possible, why they are not working. The board should base its five-year plan on programs designed to reduce the gap between goals/objectives and existing conditions.

Distributing copies of the plan to all affected individuals, including district personnel.

Anyone who has a role in the success of the plan, particularly classroom teachers, should have a copy of the plan to guide them in their decisionmaking and instructional responsibilities. The necessity of the department's basing its budget request on its annual five-year plan as required by MISS. CODE ANN. Section 37-1-3 (1972) is discussed in greater detail on page 165.

Adhering to the same major long-term plan and committing to measuring performance regardless of political opposition or lower than expected outcomes.

If the department does delete and/or change programs, it should clearly explain these changes to the reader in the plan, as well as the reasons for the changes.

- **The Superintendent of Education should direct the Department of Education's Office of Research, Policy, Planning, and Development to conduct research on broad-based educational policy issues that have major implications for the state's education system.**

The Office of Research, Policy, Planning, and Development should take an active role in education policy analysis. Active, ongoing policy analysis is critical for the State Department of Education to ensure that Mississippi invents or takes advantage of innovations in education. The Office of Research, Policy, Planning, and Development should use the proposed Office of Internal Audit and Evaluation's (refer to following recommendation) evaluation findings as a basis for developing new programs and policy changes. For example, the Office of Research, Policy, Planning, and Development should be researching factors contributing to the progressively lower performance on basic skills tests at higher grades (excluding the Functional Literacy Exam) documented by PEER (refer to page 120 of the text) and developing steps for improving scores on these tests, taking into consideration the relative cost of each alternative approach to accomplishing this objective.

The Office of Research, Policy, Planning and Development should provide its research and policy analysis reports to the Superintendent of Education, the Board of Education, and the Legislature.

- **The State Board of Education should establish an Office of Internal Audit and Evaluation to monitor the degree to which responsible parties meet the objectives specified in the board's five-year plan and the costs of achieving these objectives. (See Appendix P, page 224.)**

The proposed Office of Internal Audit and Evaluation should be the entity responsible for assessing the degree to which the department is meeting its five-year plan objectives, as well as assessing any benefits in relation to the costs of achieving them. This office should communicate all of its program evaluation results to the Office of Research, Policy, Planning, and Development for use in its planning and policy analysis functions. Additional information on the proposed office is provided on pages 163 through 165.

- **The State Department of Education should ensure that the districts incorporate high-priority state goals and objectives set forth in the board's five-year plan into their local five-year plans.**

Subsection (m) of MISS. CODE ANN. Section 37-1-2 (1972) bolsters the Department of Education's interest in reviewing local five-year plans by requiring local school districts and their public schools to account for the product of their efforts. The State Department of Education should review the districts' plans for content and conformity with the state five-year plan. PEER does not recommend specific procedures for handling the logistics of these reviews; however, the districts should have no prior knowledge of when the department will review their plans.

In addition to checking for conformity with the state five-year plan, the department should ensure that districts follow the same steps in developing a true working plan that PEER recommends the department adopt (refer to pages 159 through 161).

- **The State Department of Education should improve its method of communicating with department and district personnel at all levels, particularly to include all classroom teachers.**

The State Department of Education should take a more active role in communicating with personnel at all levels of the state's system of education, including classroom teachers. (Also refer to the recommendation on page 160 for the State Department of Education to include all levels of personnel in the planning process and to distribute copies of the plan to same.) This expanded communication should include all matters affecting education, with particular emphasis on establishing full and accurate communication on certification issues, instructional goals, and methods for accomplishing these goals.

One of the greatest threats to morale in any system is the perception that personnel at higher levels withhold pertinent information from those at lower levels of the system. The Department of Education could diminish this threat by taking a much more active communication role. This role could take the form of periodic regional meetings, newsletters to all educational employees, telephone/computer bulletin boards, and/or any other method that the department determines to be efficient and effective.

Given the volume of information requests which the Department of Education receives from local school personnel and the general public, the State Department of Education should also have a separate information number answered by current employees familiar with all aspects of departmental operations. These employees should log in every call, including the date, requestor, nature of the request, and how and when the department responded to the caller's questions.

Also, the Department of Education should consider a joint venture with Mississippi Authority for Educational Television to develop a regular program on educational issues and trends in such areas as curriculum, instruction, and certification. The primary purpose of such a program would be to convey education-related information to the state's 30,803 classroom teachers, administrators and support personnel.

The Department of Education should enhance its communication system from the bottom up as well as the top down. The Office of Internal Audit and Evaluation which PEER recommends that the Board of Education establish could serve as a collection point for feedback from both departmental employees and district personnel. Also, the formal inclusion of all levels of staff in the planning process would enhance the upward flow of ideas.

PEER also noted a need for better communications between divisions within the State Department of Education. The department should consider establishing inter-bureau work teams to explore ways that they can enhance each other's work efforts. An example of such enhancement could be the shared use of databases. Recently, the Bureau of School Support began using data collected by the Bureau of Special Services to identify potential problems in average daily attendance student counts. This is the type of activity which the department should encourage. *Employees should not have to obtain permission from their supervisors to communicate with other departmental employees regarding departmental business.*

The department should periodically evaluate the efficiency and effectiveness of any communications enhancements which it implements.

- **The proposed Office of Internal Audit and Evaluation of the State Department of Education should use existing resources to perform a comprehensive management study of the department's current organization, staffing, vacancy patterns, and workload in relation to board priorities and legal responsibilities. This plan should result in recommendations for the reallocation of state education resources and should include requests for legislative action where deemed necessary.**

The focus of this review should be on achieving maximum economy and efficiency within the context of an effective operation.

This would include an assessment of whether the State Department of Education assigns its staff in a manner that permits optimum responsiveness to school districts' instructional improvement needs and that most efficiently and effectively promotes accomplishment of the academic performance goals adopted by the board. The study also should focus on issues such as the proper placement within the department and within state government of functions currently performed by the department, such as the child nutrition and textbook distribution programs. The Office of Internal Audit and Evaluation should include in its examination an analysis of the need for and potential alternative roles that could be assigned to the department's Learning Resource Centers.

The outcome of this examination should be a reallocation of existing staff resources to reflect board priorities more closely, including the accomplishment of national goals incorporated into the State Board of Education's five-year plan. This reallocation may include a possible recommendation to the Legislature for reallocation of state vocational funds that the department currently uses to support low-priority vocational education programs. (See section on vocational funding on page 86.) In addition, the board should propose any other legislative action that would improve the department's capacity to perform its primary duties more efficiently and effectively.

- **The proposed Office of Internal Audit and Evaluation should compile a written report which identifies the functions of the Department of Education contributing to the state system of educational accountability and which discusses how the department's organizational structure, policies, and procedures effectively coordinate its accountability functions.**

Subsection (a) of MISS. CODE ANN. Section 37-1-3 (1972) requires the State Board of Education to identify the functions of the Department of Education which contribute to the state system of educational accountability and to maintain an organizational structure, policies, and procedures for effectively coordinating accountability functions. According to the Office of Educational Research and Improvement of the U.S. Department of Education, an educational performance accountability system is a set of indicators or statistics that provides reliable, fair, and useful information about how well schools are performing. The data which such a system generates should facilitate intrastate and interstate performance comparisons among schools. The State Department of Education has in place some elements of an accountability system--e.g., accreditation, certification, and statewide testing--but has not issued a document which identifies all departmental functions contributing to accountability or which demonstrates that its organizational structure, policies, and procedures effectively coordinate accountability functions. The proposed Office of Internal Audit and Evaluation should produce such a document.

Spending Priorities and Controls

The PEER Committee will conduct a full review of the current system for funding grades kindergarten through twelve and will recommend a revised, comprehensive school funding system, or series of system options with associated estimates of the fiscal impact, that would provide greater precision in determining educational needs. PEER will also recommend more extensive legislative discretion and control over the appropriation of state education funds, and enhanced accountability on the part of the department and districts concerning the expenditure of state funds on education. PEER plans to complete this review by the 1994 Legislative Session.

In addition, PEER makes the following recommendations concerning spending priorities and controls:

- **The Board of Education should comply with subsection (f) of MISS. CODE ANN. Section 37-1-3 (1972), which requires it base its budget requests on its five-year plan.**

  In order to be in compliance with subsection (f) of MISS. CODE ANN. Section 37-1-3 and to improve the strength and purpose of the State Department of Education's budgetary process, the State Board of Education should take immediate steps to ensure that the department bases future budgets on the five-year plan. To accomplish this, the board first should develop a satisfactory five-year plan as intended by the Legislature and as described on page 159.

  The Board of Education should ensure that the Department of Education develops formal written policies and procedures requiring that internal budgeting units tie their budgets to the five-year plan and that the department justifies every dollar which it requests through direct written references to the plan.

  In conjunction with the improvement of the State Department of Education's planning process and five-year plan, the Board of Education should amend the timing of its annual five-year planning process. The board currently writes its plan in arrears of a significant portion of the budgeted period in the plan. Also, the time span of the plan should coincide with the budgeting cycle, which is the state's fiscal year, July through June. To accomplish this effectively, the board should design and publish the five-year plan at least fifteen months before the beginning month of the plan. For example, the board should officially adopt and publish its five-year plan for fiscal years 1994 through 1998 by spring of 1992.

- **The Board of Education should improve and formalize its central budgeting process to comply with the intent of MISS. CODE ANN. Section 37-1-3.**

The State Board of Education should adopt written policies and procedures to support the unwritten central budget policies and procedures of the department. While the SDE's Budget Office would remain the central office to receive, compile and assimilate budgets, written budgetary policies and procedures would formalize and strengthen the budgetary process by requiring inputs through written documentation, forms completion, and expanded narratives; and prescribe day-to-day management procedures and controls at all organizational levels.

The formal budgetary system should require documented communication between all levels of the State Department of Education (offices, bureaus, divisions, branches) to support budget requests tied to five-year plan objectives. The written policies should also provide for specific guidance in unique budgeting situations, such as proposed spending cuts, and should state which department staff members are responsible for estimating the impact of such measures at the program or organizational levels.

- **The Department of Education should redefine its budgetary programs to correspond with the actual functioning programs of the agency and should submit this proposed series of programs to the Joint Legislative Budget Committee for approval.**

In accordance with MISS. CODE ANN. Sections 27-103-113 and 27-103-139 (1972), the state's budget is to encompass the operations of specific general fund and special fund agencies, prepared in "agency program format." In order to satisfy these statutes and to provide the Legislature with meaningful and useful budget requests, SDE should request funds for the agency's true and actual programs, rather than superficial groupings (e.g., Federal/Special Projects) that do not provide valid information which the Legislature can use to make its funding decisions.

These programs should represent the major functions of SDE and as such should group activities, operations, and/or organizational units directed to the attainment of specific purposes or objectives. The five-year plan should identify these same programs for proper management. A noninclusive example of State Department of Education's programs is:

- Instruction
    - Regular Education
    - Vocational Education
    - Special Education
    - Adult Education
    - Remedial Education
    - Textbooks
- School Support
    - Child Nutrition
    - Transportation
    - Public School Building
- Direct Operation of Schools
    - Schools for the Deaf and Blind
    - School for Math and Science
- Department Administration

- **The Legislature should require the State Department of Education to use the zero-based budgeting approach in the preparation of its budgets, beginning with its FY 1994 budget request.**

To enhance greatly the State Department of Education's ability to match funding with five-year plan objectives and to enhance the Legislature's understanding of exactly what it is funding, the Legislature should require the Department of Education to prepare budget requests based on zero-based budgeting beginning with its FY 1994 budget request. Through zero-based budgeting the department should justify the existence of each program's activities each year, as well as the funds that it wants to allocate to those activities. This budgeting method provides the medium to allow the Legislature's evaluation and allocation of the state's scarce resources among alternative uses, including reductions below the current level (e.g., 90%, 85%, 70% of the current level).

The requirement for the Department of Education to justify activities through zero-based budgeting should include documentation that the department is complying with mandated legal or regulatory requirements and that the department is satisfactorily meeting the objectives listed in its five-year plan. By basing its budgeting and reporting on the five-year plan, the department will be able to compare the output of services to the input of resources and provide this information to the Legislature.

- **The State Department of Education should expand its accounting system as necessary to provide for the accumulation of costs by program at *all* organization levels.**

Sound financial management requires that the State Department of Education develop a budget for and assign expenditures to each of its distinct organizational subentities (offices, bureaus, divisions, and branches). Further, the department should require these subentities to tie their internal budgets to the program budgets.

The Department of Education's Budget Office should budget, segregate, and accumulate all costs through the accounting system in such a way to allow all office, bureau, division, and branch directors (managers) the information necessary to perform essential detailed day-to-day management. The department should expand its Statewide Automated Accounting System organization and reporting accounting codes to achieve this segregation and refinement.

The current organization subentities that need segregated, distinct, and complete budgets for accumulating costs are as follows:

Budget Office
Division of Accounting
    Accounts Payable and Payroll
    Purchasing and Accounts Receivable
    Print Shop/Mail Service
Division of Deaf and Blind Schools Finance
Personnel Office

Management Information Systems
Data Processing Services
Technical Services

Bureau of School Support
    Division of Minimum Program
    Division of Textbooks

Bureau of School Building and Transportation
    Division of School Building
    Division of Public Transportation, Driver Training and Safety Education

Bureau of Child Nutrition
    Division of Operations and Monitoring
        Claims and Federal Reports
        Food Distribution
        Monitoring
    Division of Program Management
        Child Care Programs

- School Food Programs
- Summer Special Milk and Charitable Contributions

- Bureau of Instructional Services (Director and staff only)

- Bureau of School Improvement
  - Division of School Executive Management Institute/Staff Development
  - Division of Technical Assistance
  - Division of Teacher and Administrator Certification

- Bureau of Special Services (director and staff only)

- Bureau of Support Services (Deaf and Blind Schools)

- Office of Vocational-Technical and Adult Education
  - Bureau of Support and Technical Services
    - Division of Supportive Services
      - Adult Literacy
      - Special Services
    - Division of Resource Management & Coordination
      - Vocational Coordination
      - Resource Management
  - Bureau of Business, Commerce and Technology
    - Division of Industrial Services
      - JTPA Coordination
      - Industrial Training
    - Division of Program Operations
      - Industrial Trade/Agriculture Education and Guidance
      - Business and Commerce Programs

- **The Board of Education should establish an Office of Internal Audit and Evaluation which reports directly to the board and issues copies of its formal written reports to the Governor, Lieutenant Governor, and Speaker of the House of Representatives.**

Because of the State Board of Education's monumental obligation to oversee public education through the influence and direction of such a sizable portion of the state's funding (44% of general funds), it is essential that the department have an internal audit staff. The Office of Internal Audit and Evaluation should report directly to the State Board of Education. Because of the importance of education in Mississippi, the office also should provide copies of its formal written reports to the board's appointing authorities: the Governor, Lieutenant Governor, and Speaker of the House of Representatives.

The staff of the Office of Internal Audit and Evaluation should operate under the recognized standards established by the Institute of Internal Auditors (IIA) and, in accordance with those standards, should possess the proper education and collective qualifications to properly carry out all audit responsibilities. The office's audit responsibilities should entail systematic and objective appraisals of the diverse operations and controls of SDE. In accordance with IIA standards, the Office of Internal Audit and Evaluation would perform audits to ensure that the department:

1. uses its resources efficiently and economically;
2. effectively achieves its objectives;
3. produces accurate and reliable financial and operating information;
4. identifies and minimizes its risks;
5. follows external regulations and internal policies and procedures ; and,
6. meets satisfactory operating standards.

Because of the immediate evaluation needs of the State Department of Education, the primary initial objectives of the Office of Internal Audit and Evaluation should be to audit the programs, resources, effectiveness and efficiencies of the department. This has been an assigned function of the Office of Research, Planning, Policy and Development in the past, but because of the objectivity problem inherent in both developing and subsequently evaluating the same programs, the department should reassign all evaluative responsibilities to the Office of Internal Audit and Evaluation.

- **The State Department of Education should analyze the fiscal impact which elimination of double counting of students would have on each district's teacher unit allocations. The department should report this information to the Legislature for its consideration in deciding whether and how to amend state law to mandate the counting of all students as full-time equivalents (i.e., to eliminate "double counting") without disrupting the flow of funding at levels needed to continue essential operations.**

Based on data which it collects during the 1992-1993 school year, the State Department of Education should analyze the fiscal impact of eliminating double counting on each district by instructional program (regular, vocational, and special). In order to accomplish this, the department should require each district to submit a supplementary pupil report with a certain designated monthly attendance count which indicates the number of *full-time equivalent* students enrolled in each instructional program (regular, special and vocational education). To calculate the number of full-time equivalent students, the districts should prorate each pupil unit in proportion to the student's class time spent in each instructional program. That is, each full-time student can represent at most only one full-time equivalent pupil unit.

For oversight purposes during this test period, on each of its ADA counts the Audit Department's ADA auditors should audit these percentages reported on a student-by-student basis by the school by randomly sampling special education students' individualized education plans to make sure that they match the percentages reflected in current individualized education plans. The Audit Department's ADA auditors also should review vocational education class rolls to verify students' participation in the vocational program. To arrive at a regular education student count, the auditors should subtract total special and vocational student full-time equivalents from the total number of children enrolled.

At the close of the school year, the State Department of Education should compile a report showing the Minimum Program funding, by instructional program, which each district actually received under the present system of double counting and the amount which they would have received had the Legislature eliminated double counting. The department also should offer a series of options for correcting the problem of double counting and make this information available to the Legislature for its 1994 Session.

- **The State Department of Education should conduct a detailed review of the number of full-time equivalent teachers funded through Minimum Program who are not engaged in basic, minimum academic instruction, as well as the number of full-time equivalent teachers in each work area by funding source, and should report this information to the Legislature as possible justification for adjusting the regular ADA teacher unit ratios (MISS. CODE ANN. Section 37-19-5 [1972]) and the supportive service allotment set in MISS. CODE ANN. Section 37-19-21 (1972).**

The Department of Education should determine how many full-time equivalent regular teachers the districts employ with Minimum Program funds outside of the minimum basic academic instructional program (i.e., basic academic instructional teachers defined as those teaching: reading, other than remedial reading; mathematics; social studies; science; English; kindergarten; and general elementary education) and compare this number to the regular Minimum Program teacher allocation driven by average daily attendance. The difference is the number of teacher units funded through Minimum Program that the districts do not use for hiring teachers to deliver minimum basic instruction.

The department also should use its personnel data base to prepare a report showing the number of full-time equivalent teachers in each work area by funding source (federal, state teacher unit [regular, special, vocational], other [a category that will include state Minimum Program supportive services funding]) and the percent of all teachers in each work area, as well as the total regular, special and vocational education teacher units allocated. This report should be based on FY 1992 data. The Legislature then could consider eliminating the loopholes in the Minimum Program laws which allow the districts to use Minimum Program teacher units in areas outside basic instruction. This information would give the Legislature the option of adjusting the regular ADA teacher unit ratios contained in MISS. CODE ANN. Section 37-19-5 and funding these units through an adjustment in the supportive services allotment contained in MISS. CODE ANN. Section 37-19-21. The current allotment is $3,625 per teacher unit.

- **The State Department of Education should consider basing its special education teacher unit allocation on the prior year's average enrollment, collected on a monthly basis, or on the average enrollment for the first two months of the current year, whichever is greater, rather than on a one-time district count, amended for additional students but not reductions in student enrollment.**

- **The State Department of Education should improve its monitoring of special education student counts.**

  The State Department of Education could improve its monitoring of special education student counts by:

  - computerizing the district count data to facilitate comparison of counts between years and districts and thereby identify and investigate any unusual trends;
  - cross-matching its many sources of special education student data; and,
  - internally developing a method for verifying special education student counts submitted by the districts for special education teacher unit allocation purposes.

- **The Legislature should consider limiting growth of gifted teacher units by making the funding of gifted teacher units a separate identified restriction in the Minimum Program appropriation bill.**

- **The State Department of Education should recommend to the Legislature a method of providing flexibility in Minimum Program funding for special education teacher units to allow for the hiring of teacher aides.**

- **The Office of Research, Policy, Planning, and Development should conduct pilot studies to assess the effectiveness of educating special education students in a variety of educational settings (e.g., with co-teachers in the regular education classroom) and the cost effectiveness of increasing regular education support personnel to provide pre-referral intervention for the purpose of reducing the number of children placed in separate special education programs.**

- **The State Board for Community and Junior Colleges should institute random audits of completion, enrollment and placement data reported by secondary and post-secondary vocational education providers.**

  The State Board for Community and Junior Colleges should randomly audit vocational education provider reports. The audit should include acquiring actual copies of grade books to determine if the providers reported accurate enrollment and completion figures. To determine if placement outcome data is accurate, the State Board for Community and Junior Colleges should contact a random selection of companies listed by programs' graduating students as their employer to insure that the former students are employed and at what skill level.

  Recently, the executive branch commissioned a consultant's review of vocational education in Mississippi. While PEER makes no judgement as to the content of the report by MPR Associates, Inc., the State Board for Community and Junior Colleges should explore the report's suggestion that the state's unemployment insurance data system be used to track the employment status and earnings of students who have participated in vocational education programs.

- **The State Board of Education should base its vocational education Minimum Program teacher unit allocations on vocational education student teacher ratios, which it should establish based on valid studies of optimal class size.**

  The number of enrolled students needed to generate one vocational teacher unit should be consistent among programs of the same types and among districts and should be based on sound criteria for the optimal number of vocational students per teacher for maximum educational value for each program classification. The board should annually provide the Legislature with information on the ratios it uses and the objective procedure the department uses to arrive at vocational teacher unit allocations.

- **The State Department of Education should comply with all Board of Education policies regarding vocational education program closure within the time frames specified in the policies.**

The State Department of Education should require each school district to report secondary vocational education enrollment and completion data by June 30 for the just-completed school year rather than waiting until November.

- **In order to comply with MISS. CODE ANN. Section 37-19-1, the State Department of Education should cease using non-instructional vocational counselor positions to generate vocational teacher units.**

- **Beginning with its FY 1994 budget request, on an annual basis, the state agency receiving Carl Perkins Act funds should select the method of calculating maintenance of effort under the act which results in the lowest cost to the state.**

Each year, beginning with the FY 1994 budget request, the state agency receiving Carl Perkins Act funds (currently the State Department of Education) should calculate the state's maintenance of effort requirements under the Carl Perkins Act using both the effort per student and the aggregate expenditure methods to determine which method would result in the lower cost to the state. PEER recognizes that the agency would have to project secondary and post-secondary enrollment under the effort per student method; however, the SDE and the community college board have the capacity to analyze trends in vocational education enrollment data and can limit class sizes to prevent enrollment from exceeding the level necessary to achieve maintenance of effort requirements using this method. PEER staff predicts that secondary enrollment in vocational education classes will continue to decline as the State Board of Education increases the number of courses required for graduation, leaving fewer hours for electives such as vocational education.

By PEER's projections, the per-student method will not decrease the maintenance of effort need for FY 1993. However, in FY 1994 the per-student method may result in a lower appropriation need to retain eligibility for federal vocational education funds.

Further, the state agency receiving Carl Perkins Act funds should include all state appropriations specifically for vocational education in its maintenance of effort calculations. It is not sufficient to use only one of the four sources of state vocational education funding in making this calculation, as the Office of Vocational Education has historically done. Failure to include all known vocational education funding sources could result in the state losing its federal vocational education funding.

- **The State Department of Education should explore strengthening regular education instruction as a method of reducing the number of students placed in special education.**

  Methods of strengthening regular education instruction include:

  -- pre-referral intervention. This is a process where children with potential special educational needs receive assistance from a support team in the regular education setting, the intent being to circumvent the need for special education placement;

  -- hiring of more regular education teacher aides; and,

  -- co-teaching. In this approach, a regular and special education teacher work as a team to cooperatively meet the specific learning needs of students functioning at a wide variety of ability levels.

- **The State Board of Education should require the Department of Education's Bureau of Special Services to reevaluate current special education student teacher ratios and revamp its procedures for applying these ratios to student counts in arriving at special education Minimum Program teacher unit allocations.**

  The State Board of Education should require the Bureau of Special Services to review and, by January 1, 1993, to report to the Legislature on a series of special education student/teacher ratios based on severity of the disabilities of the students served, nature of services to be rendered, etc., and require the department to establish and publish a comprehensive procedure for applying these ratios uniformly across school districts. Such a report should set forth the procedures the department will use to ensure that it computes special education teacher unit allocations objectively; that it documents all computations in a manner that external audits can replicate (the department should computerize the procedure, with each variable entering into the equation clearly spelled out--e.g., age, if age is a factor); and that the department be able to justify all student/teacher ratios. In addition, the report should indicate the number of teacher units generated using this method and should demonstrate that the ratios and procedure presented in the report do not produce a teacher unit figure that, when divided into the overall special education student population, results in a smaller number of students per teacher than the number of students per teacher resulting from the current method of determining special education teacher unit needs. After presenting this report to the Legislature, the department should notify the Legislature of any changes in these standard ratios and teacher unit allocation procedures prior to the legislative session during which the Legislature considers the first budget request affected by these changes in ratios and procedures.

- **The State Department of Education should review its criteria for identifying students as disabled and gifted.**

  The State Department of Education should review its criteria for each category of disabled student which experienced a large increase during the decade of the 1980s (e.g., speech/language impaired, specific learning disabled) and for gifted students and determine whether adoption of more restrictive criteria is warranted and feasible.

- **The proposed Office of Internal Audit and Evaluation of the State Board of Education should pursue possible legal violations of enrollment and attendance reporting requirements and should refer problems it finds to the State Auditor and the State Attorney General with the intent of reducing Minimum Program appropriations to compensate for the effects of false reporting of student counts and to pursue civil and criminal actions where justified.**

  The proposed Office of Internal Audit and Evaluation of the State Board of Education should institute its own data cross-matches to detect possible cases of false reporting of student counts and should pursue the investigation of such problems already uncovered through the department's own data comparisons. The Office should refer findings of false reporting to the State Auditor and the State Attorney General.

Evaluation

- **The State Department of Education should not remove any districts from accreditation oversight requirements.**

  Given the deficiencies in the State Board of Education's accreditation procedures, PEER opposes any attempt to remove "Distinguished Achievement" districts from existing oversight requirements. The current measures and standards are not sufficiently comprehensive to be used as a valid basis for designating districts as high-performing.

- **The State Department of Education should report performance in relation to external norms and in easily understood formats.**

The Department of Education should clearly define its standards of performance in relation to external norms and it should be able to describe the standing of each school relative to those standards in ways that the general public can understand. Only when the public is given a complete and unambiguous picture of student strengths and weaknesses relative to the highest standards of education possible can it be expected to support the initiatives and programs that will move the system forward.

- **The State Board of Education and Commission on School Accreditation should include comprehensive process standards and outcome measures in the state's performance-based accreditation system.**

The Board of Education and Commission on School Accreditation should adhere to the legislative mandate for school effectiveness as required by MISS. CODE ANN. Section 37-17-6 and include comprehensive process standards and outcome measures in the state's performance-based accreditation system. The Department of Education should define its goals and objectives clearly as they relate to the development of a permanent accreditation system and ensure they are aligned with the agency's overall mission.

- **The Commission on School Accreditation should develop and the Board of Education should approve a series of performance-based accreditation standards for special, remedial and vocational education programs.**

As a first step in this process, the State Department of Education should develop a curriculum for each of these programs. Based on this curriculum, the Commission on School Accreditation should develop standards and outcome measures for each program. For example, with respect to special education, the Commission on School Accreditation could require a certain percentage of special education students to meet a certain percentage of the objectives listed in their individualized education plans.

- **The State Board of Education should ensure that its school and district evaluation process consists of formative components (internal measures and feedback for continual improvement) and summative components (external measures for use in ensuring accountability).**

- **The State Board of Education should continue to develop its external evaluation system by refining statewide testing.**

The statewide testing program should continue to serve as an important component of a comprehensive evaluation system. The Board of Education should continue to develop its external evaluation system by refining existing measures; by continuing to develop measures that provide broad feedback over time regarding the strengths and weaknesses of the system as a whole; and by refining measures of the districts' and schools' relative performance within the state and in the nation as a whole. The State Board of Education should ensure that its statewide testing program validly assesses progress toward the goals stated in its five-year plan.

- **The State Board of Education should continue to monitor all districts' compliance with legal mandates.**

The Board of Education should continue to monitor all districts' compliance with legal mandates. If the board or districts consider any statutory requirement inappropriate or unnecessary, they should ask the Legislature to repeal that mandate. Further, to provide flexibility under controlled conditions, the board should ask the Legislature for authority to grant limited exceptions to selected laws. However, this authority should stipulate that the board may grant these exceptions only under controlled conditions for legitimate educational research and program piloting purposes. Any district submitting a sufficiently controlled proposal should be eligible for such exemption. A majority of parents whose children are affected by the exemption should concur as a condition of lifting of legal mandates. When the board grants exemptions, it should notify the public of its decision.

- **The State Department of Education's school and district accreditation process should include a quality assurance component.**

In addition to the outcome measures and legal compliance review described above, the school and district accreditation process should include a quality assurance review procedure to ensure that districts, schools and teachers are carrying out their internal, formative evaluation responsibilities. This component of the accreditation process should consist of reviews by Department of Education personnel to determine whether internal evaluation procedures are in place in schools and in districts and whether teachers and administrators play an active, productive role in the process. Specifically, the department's review of each school's and district's quality assurance capacity should include the following.

Understanding formative evaluation. Do teachers and administrators have sufficient knowledge about formative evaluation? Do they have the skills and orientation to conduct internal reviews effectively? Do they understand their roles as internal evaluators? Do teachers and administrators perceive internal evaluation as a positive, constructive process? Can teachers discuss what they know about the classes they teach and the programs in which they participate? (That is, have teachers developed the evaluation skills needed to assess strengths and weaknesses of individuals and groups of students and of school programs?)

Internal evaluation of the curriculum. Do teachers and administrators continually review and refine a detailed curriculum that specifies what students should accomplish?

Establishing procedures for identifying problems. Is there a mechanism for identifying problems across all programs, grade levels, processes, etc.? Have teachers and administrators organized committees to identify areas to be reviewed? Have committees been charged with exchanging ideas and information about classes, individual students and their needs; about what isn't being learned and why? (Were instructional materials and support not available? Could the curriculum be better sequenced? Is the concept not being taught or not given sufficient time?)

Does the school have procedures for obtaining and using input from parents and others outside the school? Does the school have procedures for obtaining and using input from students? Does the school have a mechanism for identifying and determining the extent of problems related to classroom management, the school's social climate, students' motivation and involvement in learning?

Placing problems in order of priority. Does the school have a rational process for deciding which problems are most serious and merit immediate attention, which are less pressing but need attention, etc.?

Implementing evaluation procedures. Are review committees actually examining programs and processes by measuring performance and determining the extent of problems? Are committees arriving at possible solutions?

Introducing and evaluating alternative solutions. Do school personnel try one or more solutions and measure the solutions' effectiveness in correcting problems? Do they determine whether the solution as implemented is the appropriate solution and whether it is working? How does the committee, the individual teacher, etc., determine whether a solution is working?

- **The State Board of Education and Department of Education should support the districts through training and other forms of assistance in establishing formative evaluation as the norm.**

  To achieve full functioning of an integrated evaluation system whose primary focus is correction, not blame, the Board of Education and Department of Education should support the districts in establishing formative evaluation as the norm in all districts by providing:

  -- in-service training in program evaluation, testing, data collection and data analysis procedures; in so doing, the Department of Education should train to criteria by ensuring that participants demonstrate that they understand the material presented and can perform the necessary operations;

  -- assistance in establishing internal evaluation teams, including strategies for broad-based input (e.g., rotation of evaluation committee membership);

  -- assistance in setting timelines for introducing and implementing formative evaluation processes;

  -- assistance in the continual refinement of formative evaluation processes in all districts; and,

  -- assistance in developing a functional relationship between formative and summative evaluation (e.g., using summative results as a benchmark for comparing the school's performance over time).

- **The State Department of Education should use formative procedures in departmental evaluations.**

  The Department of Education should serve as a model in the use of formative evaluation procedures by continually evaluating and improving its own programs and processes.

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Structural Problems

- **The Legislature should consider making the State Board for Community and Junior Colleges responsible for post-secondary vocational education and designate that board the single agency with respect to federal vocational education funds. As such this board should handle all of the responsibilities which this function entails, including oversight of secondary vocational education programs. The Legislature also should consider amending the law to make the State Board of Education responsible for secondary vocational education. (See Appendix P, page 224.)**

While the State Board of Education has acted as the policy-making authority for vocational education since 1982, its legal authority to perform this function expired on July 1, 1986, when an automatic repealer to MISS. CODE ANN. Section 37-31-203 went into effect. The State Board of Education should continue to be the legal policy and oversight authority for vocational education, as it was the most recent bearer of this authority and should coordinate secondary vocational programs with other educational programs under its authority. Also, the Legislature should consider amending CODE Section 37-3-25 to require the director of the vocational education program to report directly to the Superintendent of Education and to delete language establishing vocational education as a separate office within the department.

The Legislature should also consider amending MISS. CODE ANN. Section 37-31-7 to make the State Board for Community and Junior Colleges the single state agency responsible for receiving federal vocational education funds. As the single agency receiving federal vocational education funds, the State Board for Community and Junior Colleges should take over the responsibilities that the State Department of Education currently has in administering the federal vocational education grant. These responsibilities include conducting all needs assessments and statewide vocational education planning related to training programs at the secondary and post-secondary levels. These responsibilities would be reassigned to the State Board for Community and Junior Colleges to promote the state's economic development. The community colleges, not the secondary schools, are the primary contact points for business and industry representatives seeking assistance in training current and potential employees. Also, the post-secondary vocational education curriculum should drive the secondary vocational education curriculum, as the post-secondary level is the final training prior to vocational employment. As the designated single agency, the State Board for Community and Junior Colleges should annually provide the State Board of Education with information on state human resource training needs and on other indicators of vocational education need. Also, the State Board for Community and Junior Colleges should establish interagency agreements with the State Department of Education to provide secondary vocational education services supported by federal funds.

While the State Board for Community and Junior Colleges will be responsible for the annual needs assessment and planning, initially, an equal number of representatives from the State Board of Education and the State Board for Community and Junior Colleges should form a task force to decide which measures the State Board for Community and Junior Colleges should use to determine regional human resource training needs and how each board will use the measures in an objective way to develop consistent, valid, and absolute (not relative) minimum performance standards, to rank the programs according to need, and to determine which vocational education programs should continue to receive state funding. The boards should base these standards on research into the job training needs of the state and funds available for vocational education.

The joint formulation of measures by the task force should help the boards to comply with MISS. CODE ANN. Section 37-31-207 which requires vocational education authorities to seek the best projections. Also, the task force should formulate a curriculum development and articulation plan for secondary and post-secondary vocational education. A representative of the Department of Economic and Community Development could also serve on the task force and function as an arbitrator, if needed.

Both boards should publish in their annual reports information on vocational education program performance, to include for each vocational education program the total number of students enrolled, the ratio of students to full-time equivalent teachers, the cost per student, and job placement data.

- **The Legislature should consider amending MISS. CODE ANN. Section 37-31-103 to transfer responsibility for the Industrial Start-up Training Program from the Mississippi Board of Vocational and Technical Education to the State Board for Community and Junior Colleges.**

- **The Legislature should consider eliminating the State Department of Education's Vocational Education budget (#206) and reallocating this appropriation between the State Department of Education's Minimum Program budget and the State Board for Community and Junior College's budget.**

The Legislature should consider reallocating the State Department of Education's Vocational Education budget (#206) as follows, by major object of expenditure. The total amount of the reallocation should not exceed the total FY 1993 budget. The

Legislature should require the State Department of Education and the State Board for Community and Junior Colleges to justify from a zero base all budgeted items other than those which are formula driven.

Personal Services

The Legislature should consider reallocating all "agency and institution" funds to the State Board for Community and Junior Colleges, as this entity will be responsible for statewide vocational education planning.

The Legislature should consider appropriating all secondary vocational education funds other than for equipment and teacher units on a per student basis in a separate support services line for vocational education in the State Department of Education's Minimum Program budget.

Subsidies, Loans, and Grants: Equipment

In order to arrive at the amount of equipment money needed for both secondary and post-secondary vocational education programs, the Task Force comprised of representatives from the State Department of Education and State Board for Community and Junior Colleges recommended on page 182 should develop objective criteria for assessing vocational education equipment needs and for distributing this equipment funding among the vocational education program providers.

Secondary Vocational Education

The Legislature should consider appropriating secondary vocational education equipment money as a separate line item in the State Department of Education's administration (#200) budget.

Post-Secondary Vocational Education

The Legislature should consider appropriating post-secondary vocational education equipment money as a separate line item in the Community and Junior College budget.

Subsidies, Loans, and Grants: Teachers

Secondary Vocational Education

The Legislature should incorporate the secondary portion of this amount into Minimum Program funding for vocational education. The Legislature should consider amending MISS. CODE ANN. Section 37-19-5 to allocate one full vocational education teacher unit (instead of 1/2 units). The department should apply appropriate pupil/teacher ratios developed as described on p. 173 in arriving at teacher unit allocations. (See recommended reporting on the special education teacher unit allocation process, page 175.) [Note: The proposed bill's (See Appendix P, p. 224) provision for amending MISS. CODE ANN. Section 37-19-5 to allocate one full Minimum Program teacher unit per vocational education program must be accompanied by elimination of the #206 budget's general fund subsidies, loans and grants appropriation for secondary programs to avoid duplicating vocational teacher funding. Also, if all of the above takes place, the Legislature should require the State Department of Education to demonstrate that its procedure for allocating vocational teacher units at the proposed rate of one per program (instead of 1/2 per program) includes proportionally lower state funding levels for basic and *enrichment programs* than for occupational programs, as is currently the case (See Exhibit 24, page 88.) The State Department of Education can build these lower state funding levels into the proposed vocational teacher unit allocation process by requiring proportionally higher enrollment levels to generate a full enrichment or basic teacher unit than would be needed to generate a teacher unit for an occupational program. The total vocational teacher unit allocation using this process should not exceed the number of full-time equivalent teachers who would have been reimbursed with state funds under the current procedure.

Post-Secondary Vocational Education

The Legislature should consider appropriating the post-secondary portion of this amount to the State Board for Community and Junior Colleges on a per-student basis. This amount should be a separate line in the State Board for Community and Junior Colleges' appropriation bill and should clearly specify that the board should use the funds on vocational education (otherwise, the board could jeopardize the state's eligibility for continued federal vocational education funding).

- **The State Board of Education should assume a more active role in establishing literacy policy.**

The board should develop policies regarding its own leadership and coordination role and its relationship with other adult literacy service providers. The board also should include its literacy goals in the state five-year plan. One board option would be to coordinate its plans for implementing the national goal of school readiness with parent literacy training.

- **The State Board of Education should develop policies and procedures to guide Department of Education staff in working cooperatively with other agencies involved in adult literacy service provision.**

APPENDIX A
RECEIPTS FOR PUBLIC SCHOOLS
(For Fiscal Years 1971 - 1991)

YEAR	STATE	FEDERAL	LOCAL	TOTAL REVENUE RECEIPTS	NONREVENUE RECEIPTS*	TOTAL RECEIPTS
1971	$ 160,843,687	$ 94,689,302	$ 78,356,840	$ 333,889,829	$ 7,724,859	$ 341,614,688
1972	172,101,748	98,601,953	83,652,916	354,356,617	6,427,442	360,784,059
1973	184,865,859	99,408,736	90,050,030	374,324,625	20,065,123	394,389,748
1974	219,668,763	98,661,856	96,681,189	415,011,808	15,628,972	430,640,780
1975	242,432,345	106,931,217	117,898,366	467,261,928	7,452,332	474,714,260
1976	288,760,150	114,088,269	127,478,205	530,326,624	11,007,356	541,333,980
1977	299,042,093	125,095,471	133,785,432	557,922,996	16,439,099	574,362,095
1978	334,409,260	148,012,817	149,338,526	631,760,603	23,607,703	655,368,306
1979	376,319,235	167,690,982	165,248,106	709,258,323	19,687,861	728,946,184
1980	414,386,626	188,053,381	178,077,514	780,517,521	23,111,744	803,629,265
1981	452,113,821	195,481,908	202,337,999	849,933,728	30,861,883	880,795,611
1982	487,377,569	176,752,926	217,998,120	882,128,615	23,538,794	905,667,409
1983	491,821,879	172,739,449	224,528,333	889,089,661	19,446,571	908,536,232
1984	551,358,006	173,346,991	248,738,978	973,443,975	26,363,577	999,807,552
1985	568,938,122	183,397,716	261,122,056	1,013,457,894	48,738,437	1,062,196,331
1986	655,762,727	196,179,030	359,042,609	1,210,984,366	68,915,755	1,279,900,121
1987	713,235,395	198,572,430	360,762,505	1,272,570,330	80,035,343	1,352,605,673
1988	764,830,531	217,956,238	396,641,929	1,379,428,698	89,849,262	1,469,277,960
1989	840,564,904	240,883,423	431,052,356	1,512,500,683	58,558,732	1,571,059,415
1990	896,327,897	251,422,983	478,038,999	1,625,789,879	38,288,861	1,664,078,740
1991	885,128,547	274,923,974	492,926,419	1,652,978,940	66,490,594	1,719,469,534

* Nonrevenue receipts represent school districts' proceeds from sale of bonds, assets and debt procurement (not used in PEER's trend calculations).

SOURCE: Compiled by PEER Staff from SDE Annual Reports.

APPENDIX B

ACTUAL SDE BUDGETARY EXPENDITURES BY FINANCING SOURCE *

(For Fiscal Years 1980 - 1991)

Budgeted Program	80	81	82	83	84	85	86	87	88	89	90	91
BUDGETARY EXPENDITURES:												
GENERAL EDUCATION												
Educable Children	$ 881,166	$ 906,674	$ 1,090,755	$ 1,188,312	$ 1,252,008	$ 1,292,166	$ 953,456	$ 981,616	$ 995,889	$ 985,095	$ 1,053,571	$ 784,169
Learning Resource Centers	1,180,686	1,216,426	1,300,959	903,196	944,228	912,436	1,097,659	899,030	947,478	947,875	950,287	1,030,093
School Lunch	69,657,695	77,255,474	74,706,888	81,598,795	77,189,206	85,357,244	93,672,685	106,958,317	106,291,076	112,886,360	120,193,211	125,129,652
Adult Education	1,233,710	1,350,645	1,709,893	1,407,973	1,294,714	1,562,843	1,448,727	1,244,916	1,391,815	1,444,446	1,853,780	2,418,645
Education Trust Fund	0	0	0	0	0	0	0	0	1,905,566	1,000,000	2,000,000	2,000,000
School for Math & Science	0	0	0	0	0	0	0	0	296,558	2,061,817	2,783,924	2,662,393
Textbook Procurement	4,753,202	5,554,706	5,919,306	7,233,027	6,562,162	7,635,939	11,490,290	4,301,348	11,870,486	7,580,449	8,886,840	7,677,686
Public School Bldg (EFC)	150,465	207,925	187,346	182,267	195,486	193,167	193,578	156,474	155,794	141,311	136,183	128,518
Education Reform Act	0	0	0	0	914,151	2,721,771	9,263,897	44,432,755	44,447,641	5,558,986	4,482,885	4,617,604
Industrial Trng. (Manpwr Dev. & Trng.)	4,489,287	6,043,964	5,860,280	6,074,612	6,655,866	7,734,306	8,150,880	1,702,660	1,628,435	1,662,119	1,586,100	1,163,655
Federal/ Special Projects	85,744,625	92,048,326	86,119,713	81,886,233	85,943,319	87,871,452	91,770,321	96,841,979	104,582,660	121,747,569	146,669,516	152,147,877
SDE Administration	1,556,300	1,542,784	1,681,273	1,676,961	1,789,144	1,494,382	1,769,848	1,637,468	3,323,436	3,365,146	3,896,309	3,744,219
TOTAL GENERAL EDUCATION	169,846,136	186,125,924	178,556,413	182,153,398	182,740,264	196,775,707	219,710,938	258,158,655	277,636,133	259,402,664	293,600,614	303,504,511
UNIFORM MILLAGE ASST.	0	0	0	0	0	0	0	0	0	0	0	16,049,189
WRITING-TO-READ	0	0	0	0	0	0	0	0	0	0	0	951,522
MINIMUM PROGRAM	351,177,854	384,727,433	421,177,872	426,132,981	480,371,712	491,009,869	571,709,470	596,412,149	632,476,074	746,503,326	804,306,108	768,604,037
CHICKASAW SCHOOL FUND	62,191	62,191	62,191	62,191	62,191	62,191	999,968	2,000,000	3,000,000	4,000,000	5,000,000	4,848,578
BLIND/DEAF SCHOOLS: **												
School for the Blind	1,484,818	1,577,494	1,959,513	1,934,709	1,940,780	1,905,557	2,157,446	1,907,615	2,178,847	2,443,576	2,324,050	0
School for the Deaf	2,709,245	2,888,071	3,325,069	3,488,905	3,507,632	3,661,872	3,800,613	3,310,570	3,743,861	4,102,480	3,494,849	6,456,649
BLIND/DEAF SCHOOLS - TOTAL	4,194,063	4,465,565	5,284,582	5,423,614	5,448,412	5,567,429	5,958,059	5,218,185	5,922,708	6,546,056	5,818,899	6,456,649
VOCATIONAL EDUCATION	38,505,728	42,851,349	44,048,610	44,234,111	46,891,553	50,725,336	52,110,994	50,771,864	53,677,559	58,005,409	58,281,279	60,119,761
TOTAL BUDGETARY EXPENDITURES	$ 563,785,972	$ 618,232,462	$ 649,129,668	$ 658,006,295	$ 715,514,152	$ 744,140,534	$ 850,489,429	$ 912,560,843	$ 972,912,474	$ 1,072,457,484	$ 1,167,006,900	$ 1,160,534,247
FINANCING SOURCES:												
General Funds	$ 391,810,280	$ 430,394,626	$ 471,783,072	$ 477,793,696	$ 536,227,038	$ 552,175,575	$ 643,767,504	$ 699,019,036	$ 748,326,400	$ 825,615,459	$ 885,740,785	$ 864,557,059
Federal Funds	171,225,376	186,505,998	175,934,351	178,057,325	175,294,203	189,493,534	200,158,269	210,194,182	220,261,413	242,579,069	274,826,405	290,856,739
Other	750,316	1,331,838	1,412,245	2,155,272	3,992,911	2,471,425	6,563,656	3,347,625	4,324,661	4,262,956	6,439,710	5,120,449
TOTAL FINANCING SOURCES	$ 563,785,972	$ 618,232,462	$ 649,129,668	$ 658,006,295	$ 715,514,152	$ 744,140,534	$ 850,489,429	$ 912,560,843	$ 972,912,474	$ 1,072,457,484	$ 1,167,006,900	$ 1,160,534,247

* Only applicable financing sources presented in detail.

** Prior to July 1, 1989, the Schools for the Blind and Deaf were separate agencies. Expenditure information for years prior to 1990 is included here for comparative purposes only. Budgets for the two schools were combined for fiscal year 1993 (1991 actual) and appear in the School for the Deaf category.

*** Federal JTPA (Job Training Partnership Act) funds moved to Federal/ Special Projects in fiscal year 1987.

SOURCE: Actual expenditures per SDE Annual Budget Requests.

APPENDIX B
ACTUAL SDE BUDGETARY EXPENDITURES BY FINANCING SOURCE *
(For Fiscal Years 1980 - 1991)

Budgeted Program	80	81	82	83	84	85	86	87	88	89	90	91
GENERAL EDUCATION												
Educable Children												
General Funds - Total	$ 881,166	$ 905,674	$ 1,090,755	$ 1,188,312	$ 1,252,006	$ 1,292,168	$ 953,456	$ 981,816	$ 995,389	$ 985,005	$ 1,053,571	$ 784,169
Learning Resource Centers												
General Funds - Total	1,180,886	1,216,426	1,300,959	903,196	944,228	912,436	1,097,659	899,030	947,478	947,873	960,287	1,030,093
School Lunch												
General Funds	1,151,110	1,239,752	1,327,444	1,430,311	1,410,938	943,152	1,454,075	1,181,228	2,280,613	1,674,417	1,729,907	1,661,346
Federal Funds	68,706,585	76,015,722	73,379,444	80,168,484	75,778,270	84,414,092	92,118,610	104,777,089	104,010,462	111,223,846	118,463,304	123,468,306
Total	69,857,695	77,255,474	74,706,888	81,598,795	77,189,208	85,357,244	93,572,685	105,958,317	106,291,075	112,898,263	120,193,211	125,129,652
Adult Education												
General Funds	129,026	155,496	155,447	153,213	182,023	154,216	155,245	156,046	156,816	167,388	167,702	173,224
Federal Funds	1,104,684	1,195,149	1,554,446	1,254,760	1,112,691	1,408,627	1,293,482	1,088,872	1,234,997	1,277,058	1,786,078	2,245,421
Total	1,233,710	1,350,645	1,709,893	1,407,973	1,294,714	1,562,843	1,448,727	1,244,918	1,391,813	1,444,446	1,953,780	2,418,645
Education Trust Fund												
Other Funds - Total	0	0	0	0	0	0	0	0	1,905,366	1,000,000	2,000,000	2,000,000
School for Math & Science												
General Funds - Total	0	0	0	0	0	0	0	0	296,558	2,061,617	2,783,924	2,662,393
Textbook Procurement												
General Funds	4,619,222	5,404,706	5,744,306	6,624,289	4,517,136	7,044,770	8,707,492	3,984,313	11,435,388	7,118,007	7,067,511	6,840,403
Other Funds	133,980	150,000	175,000	608,738	2,045,026	591,169	2,782,798	317,035	235,100	472,442	1,818,335	837,283
Total	4,753,202	5,554,706	5,919,306	7,233,027	6,562,162	7,635,939	11,490,290	4,301,348	11,670,488	7,590,449	8,885,846	7,677,686
Public School Building												
General Funds - Total	150,465	207,925	187,346	182,287	195,485	193,167	193,575	158,474	155,794	141,211	136,183	128,518
Education Reform Act												
General Funds - Total	0	0	0	0	914,151	2,721,771	9,263,697	44,432,755	44,447,641	5,558,998	4,482,885	4,617,604
Indus. Trng. (Manpower Dev. & Trng.)												
General Funds	719,690	649,474	1,115,740	1,447,746	1,593,120	1,330,248	1,518,117	1,702,550	1,628,433	1,682,119	1,585,100	1,163,655
Federal Funds ***	3,768,597	5,394,490	4,744,540	4,626,866	5,062,745	6,404,057	6,632,563	0	0	0	0	0
Total	4,488,287	6,043,964	5,860,280	6,074,612	6,655,865	7,734,305	8,150,680	1,702,550	1,628,433	1,682,119	1,585,100	1,163,655
Federal/Special Projects												
Federal Funds	85,128,289	90,866,488	84,882,468	80,341,699	83,995,434	85,991,196	88,763,750	94,811,389	102,898,465	118,957,055	143,048,143	149,864,711
Other Funds	616,336	1,181,838	1,237,245	1,546,534	1,947,885	1,880,256	3,006,571	2,030,590	1,684,195	2,790,514	2,621,375	2,283,166
Total	85,744,625	92,048,326	86,119,713	81,888,233	85,943,319	87,871,452	91,770,321	96,841,979	104,582,660	121,747,569	145,669,518	152,147,877
SDE Administration												
General Funds	1,556,300	1,542,784	1,661,273	1,676,961	1,789,144	1,494,382	1,769,848	1,637,468	2,823,438	3,365,146	3,896,309	3,744,219
Other Funds	0	0	0	0	0	0	0	0	500,000	0	0	0
Total	1,556,300	1,542,784	1,661,273	1,676,961	1,789,144	1,494,382	1,769,848	1,637,468	3,323,438	3,365,146	3,896,309	3,744,219
GENERAL EDUCATION - TOTAL												
General Funds	$ 10,387,665	$ 11,322,237	$ 12,583,270	$ 13,606,317	$ 12,798,233	$ 16,086,310	$ 25,113,164	$ 55,133,680	$ 65,167,548	$ 23,681,779	$ 23,863,379	$ 22,805,624
Federal Funds	158,708,155	173,471,849	164,560,898	166,391,809	165,949,140	178,217,972	188,808,405	200,677,350	206,143,924	231,457,959	263,297,525	275,578,438
Other Funds	750,316	1,331,838	1,412,245	2,155,272	3,992,911	2,471,425	5,789,369	2,347,625	4,324,661	4,262,956	6,439,710	5,120,449
TOTAL	169,846,136	186,125,924	178,556,413	182,153,398	182,740,284	196,775,707	219,710,938	258,158,655	277,636,133	259,402,694	293,600,614	303,504,511

APPENDIX B
ACTUAL SDE BUDGETARY EXPENDITURES BY FINANCING SOURCE *
(For Fiscal Years 1980 - 1991)

Budgeted Program	80	81	82	83	84	85	86	87	88	89	90	91
UNIFORM MILLAGE ASST.												
General Funds - Total	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 16,049,189
WRITING-TO-READ												
General Funds - Total	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 951,522
MINIMUM PROGRAM												
General Funds - Total	$ 351,177,854	$ 384,727,433	$ 421,177,872	$ 426,132,981	$ 460,371,712	$ 491,009,869	$ 571,709,470	$ 596,412,149	$ 632,476,074	$ 746,503,325	$ 804,306,108	$ 768,604,037
CHICKASAW SCHOOL FUND												
General Funds - Total	$ 62,191	$ 62,191	$ 62,191	$ 62,191	$ 62,191	$ 62,191	$ 999,968	$ 2,000,000	$ 3,000,000	$ 4,000,000	$ 5,000,000	$ 4,848,578
SCHOOLS FOR THE BLIND/DEAF **												
School for the Blind												
General Funds	$ 1,339,459	$ 1,410,366	$ 1,648,951	$ 1,685,123	$ 1,749,032	$ 1,779,520	$ 2,022,708	$ 1,827,211	$ 2,051,621	$ 2,319,624	$ 2,178,808	$ 0
Federal Funds	145,359	167,128	310,562	249,586	191,748	126,037	134,738	80,404	127,226	123,952	145,242	0
Total	1,484,818	1,577,494	1,959,513	1,934,709	1,940,780	1,905,557	2,157,446	1,907,615	2,178,847	2,443,576	2,324,050	0
School for the Deaf												
General Funds	2,327,936	2,465,843	2,931,619	3,102,972	3,203,048	3,210,380	3,425,264	2,956,282	3,377,375	3,642,862	3,224,721	6,017,053
Federal Funds	381,309	422,228	393,450	385,933	304,584	451,492	375,349	354,288	366,486	459,618	270,128	439,596
Total	2,709,245	2,888,071	3,325,069	3,488,905	3,507,632	3,661,872	3,800,613	3,310,570	3,743,861	4,102,480	3,494,849	6,456,649
BLIND/DEAF SCHOOLS - TOTAL												
General Funds	3,667,395	3,876,209	4,580,570	4,788,095	4,952,080	4,989,900	5,447,972	4,783,493	5,428,996	5,962,486	5,403,529	6,017,053
Federal Funds	526,668	589,356	704,012	635,519	496,332	577,529	510,087	434,692	493,712	583,570	415,370	439,596
TOTAL	4,194,063	4,465,565	5,284,582	5,423,614	5,448,412	5,567,429	5,958,059	5,218,185	5,922,708	6,546,056	5,818,899	6,456,649
VOCATIONAL EDUCATION												
General Funds	$ 26,515,175	$ 30,406,556	$ 33,379,169	$ 33,204,114	$ 38,042,822	$ 40,027,305	$ 40,496,930	$ 40,689,714	$ 42,253,782	$ 45,467,869	$ 47,167,769	$ 45,281,056
Federal Funds	11,990,553	12,444,793	10,669,441	11,029,997	8,848,731	10,698,033	10,839,777	9,082,140	11,623,777	10,537,540	11,113,510	14,838,705
Other Funds	0	0	0	0	0	0	774,287	1,000,000	0	0	0	0
TOTAL	38,505,728	42,851,349	44,048,610	44,234,111	46,891,553	50,725,338	52,110,994	50,771,854	53,877,559	56,005,409	58,281,279	60,119,761

APPENDIX C
SDE FISCAL YEAR 1991 BUDGETARY EXPENDITURES BY OFFICE

Office	Salaries	Travel	Contractual Services	Commodities	Equipment	Sub-Total	Other Than Equipment *	Subsidies, Loans and Grants	Sub-Total	GRAND TOTAL EXPENDITURES
STATE BOARD OF EDUCATION										
State	$ 12,200	$ 24,942	$ 27,003	$ 304	$ 0	$ 64,449	$ 0	$ 0	$ 0	$ 64,449
Federal	0	0	3,433	0	0	3,433	0	0	0	3,433
TOTAL	$ 12,200	$ 24,942	$ 30,436	$ 304	$ 0	$ 67,882	$ 0	$ 0	$ 0	$ 67,882
STATE SUPERINTENDENT OF EDUCATION										
State TOTAL	$ 166,718	$ 11,871	$ 125,772	$ 2,017	$ 0	$ 306,378	$ 0	$ 0	$ 0	$ 306,378
DEPUTY STATE SUPERINTENDENT OF EDUCATION										
State TOTAL	$ 83,590	$ 994	$ 17,017	$ 10,010	$ 0	$ 111,611	$ 0	$ 602	$ 602	$ 112,213
OFFICE OF EXTERNAL RELATIONS										
State	$ 169,045	$ 4,396	$ 33,937	$ 16,923	$ 183	$ 224,484	$ 0	$ 0	$ 0	$ 224,484
Federal	101,661	17,709	51,154	53,120	4,097	227,741	0	241,129	241,129	468,870
TOTAL	$ 270,706	$ 22,105	$ 85,091	$ 70,043	$ 4,280	$ 452,225	$ 0	$ 241,129	$ 241,129	$ 693,354
OFFICE OF RESEARCH, PLANNING & POLICY DEVELOPMENT										
State	$ 154,302	$ 2,704	$ 29,243	$ 7,641	$ 0	$ 193,890	$ 0	$ 88,394	$ 88,394	$ 282,284
Federal	114,717	9,386	24,605	4,152	310	153,170	0	51,664	51,664	204,834
TOTAL	$ 269,019	$ 12,090	$ 53,848	$ 11,793	$ 310	$ 347,060	$ 0	$ 140,058	$ 140,058	$ 487,118
MANAGEMENT INFORMATION SYSTEMS										
State	$ 378,013	$ 8,510	$ 434,238	$ 50,682	$ 103,916	$ 975,359	$ 0	$ 9,039	$ 9,039	$ 984,398
Federal	635,153	12,493	32,861	11,771	11,097	703,375	0	0	0	703,375
TOTAL	$ 1,013,166	$ 21,003	$ 467,099	$ 62,453	$ 115,013	$ 1,678,734	$ 0	$ 9,039	$ 9,039	$ 1,687,773
OFFICE OF ADMINISTRATION AND FINANCE										
Associate Superintendent of Administration & Finance										
State	$ 99,692	$ 616	$ 9,782	$ 3,306	$ 12,207	$ 125,603	$ 0	$ 0	$ 0	$ 125,603
Bureau of Fiscal & Administrative Services & Personnel Off.										
State - Fiscal & Administrative Services	530,688	2,698	761,564	42,284	13,478	1,350,712	0	124	124	1,350,836
State - Math & Science School	0	0	0	0	0	0	0	2,660,146	2,660,146	2,660,146
Federal - Fiscal & Administrative Services & Personnel Office	518,418	4,077	39,271	23,137	380	585,283	0	24,067	24,067	609,350
	1,049,106	6,775	800,835	65,421	13,858	1,935,995	0	2,684,337	2,684,337	4,620,332
Bureau of School Support										
State - Minimum Program & Textbooks	320,149	13,790	266,969	21,367	432	622,707	6,377,482	768,496,703	774,874,185	775,496,892
State - Chickasaw School Fund	0	0	0	0	0	0	0	4,848,578	4,848,578	4,848,578
State - Equity Funding	0	0	0	0	0	0	0	16,049,189	16,049,189	16,049,189
Other - Bureau of School Support	0	0	0	17,560	31,825	49,385	2,837,284	0	2,837,284	2,886,669
	320,149	13,790	266,969	38,927	32,257	672,092	9,214,766	789,394,470	798,609,236	799,281,328
Bureau of School Building & Transportation										
State	445,857	28,143	69,722	5,623	0	549,345	0	0	0	549,345
Federal/Other	180,403	13,094	34,507	74,230	9,098	311,332	0	1,968,052	1,968,052	2,279,384
	626,260	41,237	104,229	79,853	9,098	860,677	0	1,968,052	1,968,052	2,828,729

APPENDIX C
SDE FISCAL YEAR 1991 BUDGETARY EXPENDITURES BY OFFICE

Office	Salaries	Travel	Contractual Services	Commodities	Equipment	Sub-Total	Other Than Equipment *	Subsidies, Loans and Grants	Sub-Total	GRAND TOTAL EXPENDITURES
Bureau of Child Nutrition										
State	366,627	1,948	66,250	0	0	434,825	0	1,226,603	1,226,603	1,661,428
Federal	875,392	118,663	627,740	81,926	29,528	1,733,249	0	121,442,856	121,442,856	123,176,105
	1,242,019	120,611	693,990	81,926	29,528	2,168,074	0	122,669,459	122,669,459	124,837,533
TOTAL STATE - OFFICE OF ADMIN. & FINANCE	*1,763,013*	*47,195*	*1,174,287*	*72,580*	*26,117*	*3,083,192*	*6,377,482*	*793,281,343*	*799,658,825*	*802,742,017*
TOTAL FEDERAL/OTHER - OFFICE OF ADMIN. & FINANCE	*1,574,213*	*135,834*	*701,518*	*196,853*	*70,831*	*2,679,249*	*2,837,284*	*123,434,975*	*126,272,259*	*128,951,508*
TOTAL COMBINED - OFFICE OF ADMIN. & FINANCE	*$ 3,337,226*	*$ 183,029*	*$ 1,875,805*	*$ 269,433*	*$ 96,948*	*$ 5,762,441*	*$ 9,214,766*	*$ 916,716,318*	*$ 925,931,084*	*$ 931,693,525*
OFFICE OF PROGRAMS										
Associate Superintendent of Programs										
State	$ 100,239	$ 3,305	$ 11,816	$ 1,575	$ 0	$ 116,935	$ 0	$ 0	$ 0	$ 116,935
Federal	44,225	452	2,318	1,242	0	48,237	0	0	0	48,237
	144,464	3,757	14,134	2,817	0	165,172	0	0	0	165,172
Bureau of Assessment & Compliance										
Bureau Director's Staff										
State	58,860	4,880	12,571	3,769	0	80,080	0	0	0	80,080
Federal	25,214	0	3,105	0	0	28,319	0	0	0	28,319
	84,074	4,880	15,676	3,769	0	108,399	0	0	0	108,399
Division of Accreditation										
State	279,217	26,709	89,806	8,936	0	404,668	0	0	0	404,668
Federal	80,698	5,511	2,963	0	0	89,172	0	0	0	89,172
	359,915	32,220	92,769	8,936	0	493,840	0	0	0	493,840
Division of Statewide Testing										
State	78,115	10,408	1,066,162	6,855	378	1,161,918	0	0	0	1,161,918
Federal	56,049	0	7,056	0	0	63,105	0	2,409	2,409	65,514
	134,164	10,408	1,073,218	6,855	378	1,225,023	0	2,409	2,409	1,227,432
Total State - Bureau of Assessment & Compliance	*416,192*	*41,997*	*1,168,539*	*19,560*	*378*	*1,646,666*	*0*	*0*	*0*	*1,646,666*
Total Federal - Bureau of Assessment & Compliance	*161,961*	*5,511*	*13,124*	*0*	*0*	*180,596*	*0*	*2,409*	*2,409*	*183,005*
TOTAL	*578,153*	*47,508*	*1,181,663*	*19,560*	*378*	*1,827,262*	*0*	*2,409*	*2,409*	*1,829,671*
Bureau of Instructional Services										
Division of Curriculum Instruction (Includes Bureau Director)										
State - Curriculum Instruction	276,731	18,533	151,522	39,954	854	487,594	0	80,430	80,430	568,024
State - Writing to Read	0	0	0	0	0	0	0	951,522	951,522	951,522
Federal	145,931	8,650	84,422	183,944	7,115	430,062	0	42,092	42,092	472,154
	422,662	27,183	235,944	223,898	7,969	917,656	0	1,074,044	1,074,044	1,991,700
Division of Compensatory Instruction										
State	34,770	1,577	6,341	1,650	0	44,338	0	446,070	446,070	490,408
Federal	422,088	58,287	113,116	110,562	40,381	744,434	0	98,527,518	98,527,518	99,271,952
	456,858	59,864	119,457	112,212	40,381	788,772	0	98,973,588	98,973,588	99,762,360
Total State - Bureau of Instructional Services	*311,501*	*20,110*	*157,863*	*41,604*	*854*	*531,932*	*0*	*1,478,022*	*1,478,022*	*2,009,954*
Total Federal - Bureau of Instructional Services	*568,019*	*66,937*	*197,538*	*294,506*	*47,496*	*1,174,496*	*0*	*98,569,610*	*98,569,610*	*99,744,106*
TOTAL	*879,520*	*87,047*	*355,401*	*336,110*	*48,350*	*1,706,428*	*0*	*100,047,632*	*100,047,632*	*101,754,060*
Bureau of School Improvement										
Division of School Executive Management / Staff Development										
State	1,400	2,192	234,038	83,835	0	321,465	0	388,542	388,542	710,007
Federal	10,672	1,904	46,971	621	0	60,168	0	2,362	2,362	62,530
	12,072	4,096	281,009	84,456	0	381,633	0	390,904	390,904	772,537

APPE X C
SDE FISCAL YEAR 1991 BUDGETARY EXPENDITURES BY OFFICE

Office	Salaries	Travel	Contractual Services	Commodities	Equipment	Sub-Total	Other Than Equipment *	Subsidies, Loans and Grants	Sub-Total	GRAND TOTAL EXPENDITURES
Division of Teacher and Administrator Certification										
State	$ 3,440	$ 3,931	$ 121,516	$ 19,139	$ 0	$ 148,026	$ 0	$ 140,000	$ 140,000	$ 288,026
Federal	0	0	0	87	0	87	0	0	0	87
	3,440	3,931	121,516	19,226	0	148,113	0	140,000	140,000	288,113
Unallocated Costs of Bureau (Includes Bureau Director & Division of Technical Assistance)										
State	522,559	32,500	79,987	5,495	0	640,541	0	0	0	640,541
Federal	264,674	6,939	21,807	9	6,418	299,847	0	39,612	39,612	339,459
	787,233	39,439	101,794	5,504	6,418	940,388	0	39,612	39,612	980,000
Total State - Bureau of School Improvement	*527,399*	*38,623*	*435,541*	*108,469*	*0*	*1,110,032*	*0*	*528,542*	*528,542*	*1,638,574*
Total Federal - Bureau of School Improvement	*275,346*	*8,843*	*68,778*	*717*	*6,418*	*360,102*	*0*	*41,974*	*41,974*	*402,076*
TOTAL	*802,745*	*47,466*	*504,319*	*109,186*	*6,418*	*1,470,134*	*0*	*570,516*	*570,516*	*2,040,650*
Bureau of Special Services										
Div. of Exceptional Student Assessment & Learning Resource Centers (Includes Bureau Director)										
State	933,742	0	81,005	13,653	0	1,028,400	0	0	0	1,028,400
Federal	367,051	59,830	167,704	27,825	28,763	651,173	0	0	0	651,173
	1,300,793	59,830	248,709	41,478	28,763	1,679,573	0	0	0	1,679,573
Division of Exceptional Student Programs										
State	117,706	2,453	22,446	3,137	4,917	150,659	0	0	0	150,659
Federal	0	0	0	0	0	0	0	343,546	343,546	343,546
	117,706	2,453	22,446	3,137	4,917	150,659	0	343,546	343,546	494,205
Division of Exceptional Student Special Programs										
State	29,120	256	3,139	0	0	32,515	0	899,806	899,806	932,321
Federal	607,775	44,328	263,257	26,868	43,841	986,069	0	23,486,940	23,486,940	24,473,009
	636,895	44,584	266,396	26,868	43,841	1,018,584	0	24,386,746	24,386,746	25,405,330
Division of Special Projects										
Federal	70,259	6,787	27,036	6,489	7,083	117,654	0	4,271,790	4,271,790	4,389,444
Total State - Bureau of Special Services	*1,080,568*	*2,709*	*106,590*	*16,790*	*4,917*	*1,211,574*	*0*	*899,806*	*899,806*	*2,111,380*
Total Federal - Bureau of Special Services	*1,045,085*	*110,945*	*457,997*	*61,182*	*79,687*	*1,754,896*	*0*	*28,102,276*	*28,102,276*	*29,857,172*
TOTAL	*2,125,653*	*113,654*	*564,587*	*77,972*	*84,604*	*2,966,470*	*0*	*29,002,082*	*29,002,082*	*31,968,552*
TOTAL STATE - OFFICE OF PROGRAMS	*2,435,899*	*106,744*	*1,880,349*	*187,998*	*6,149*	*4,617,139*	*0*	*2,906,370*	*2,906,370*	*7,523,509*
TOTAL FEDERAL - OFFICE OF PROGRAMS	*2,094,636*	*192,688*	*739,755*	*357,647*	*133,601*	*3,518,327*	*0*	*126,716,269*	*126,716,269*	*130,234,596*
TOTAL COMBINED - OFFICE OF PROGRAMS	*$ 4,530,535*	*$ 299,432*	*$ 2,620,104*	*$ 545,645*	*$ 139,750*	*$ 8,135,466*	*$ 0*	*$ 129,622,639*	*$ 129,622,639*	*$ 137,758,105*

APPENDIX C
SDE FISCAL YEAR 1991 BUDGETARY EXPENDITURES BY OFFICE

Office	Salaries	Travel	Contractual Services	Commodities	Equipment	Sub-Total	Other Than Equipment *	Subsidies, Loans and Grants	Sub-Total	GRAND TOTAL EXPENDITURES
Schools for the Deaf & Blind (EXCLUDED FROM STATE ADMINISTRATION COSTS)										
MISSISSIPPI SCHOOL FOR THE BLIND										
State	$ 2,102,268	$ 6,447	$ 206,255	$ 199,458	$ 33,029	$ 2,547,457	$ 54,084	$ 0	$ 54,084	$ 2,601,541
Federal	50,242	25,744	1,856	22,739	0	100,581	0	0	0	100,581
	2,152,510	32,191	208,111	222,197	33,029	2,648,038	54,084	0	54,084	2,702,122
MISSISSIPPI SCHOOL FOR THE DEAF										
State	2,770,984	13,660	446,949	245,083	44,658	3,521,334	0	15,000	15,000	3,536,334
Federal	221,120	0	94	55,940	39,162	316,316	0	0	0	316,316
	2,992,104	13,660	447,043	301,023	83,820	3,837,650	0	15,000	15,000	3,852,650
TOTAL STATE - SCHOOLS FOR THE DEAF & BLIND	*4,873,252*	*20,107*	*653,204*	*444,541*	*77,687*	*6,068,791*	*54,084*	*15,000*	*69,084*	*6,137,875*
TOTAL FEDERAL-SCHOOLS FOR THE DEAF & BLIND	*271,362*	*25,744*	*1,950*	*78,679*	*39,162*	*416,897*	*0*	*0*	*0*	*416,897*
TOTAL COMBINED-SCHOOLS FOR THE DEAF & BLIND	*$ 5,144,614*	*$ 45,851*	*$ 655,154*	*$ 523,220*	*$ 116,849*	*$ 6,485,688*	*$ 54,084*	*$ 15,000*	*$ 69,084*	*$ 6,554,772*
OFFICE OF VOCATIONAL-TECHNICAL & ADULT EDUCATION**										
Vocational Education										
State	$ 1,800,434	$ 87,334	$ 508,216	$ 84,696	$ 0	$ 2,480,680	$ 0	$ 42,486,902	$ 42,486,902	$ 44,967,582
Federal	449,003	83,559	237,511	13,946	27,963	811,982	0	12,154,858	12,154,858	12,966,840
	2,249,437	170,893	745,727	98,642	27,963	3,292,662	0	54,641,760	54,641,760	57,934,422
Adult Education										
State	113,120	13,813	23,457	4,493	0	154,883	0	20,333	20,333	175,216
Federal	85,404	1,256	1,359	169	0	88,188	0	2,053,682	2,053,682	2,141,870
	198,524	15,069	24,816	4,662	0	243,071	0	2,074,015	2,074,015	2,317,086
Industrial Training										
State	262,376	15,749	40,772	2,877	0	321,774	0	1,278,549	1,278,549	1,600,323
JTPA (Job Training Partnership Act)										
Federal	489,966	37,800	65,427	9,849	3,390	606,432	0	11,834,813	11,834,813	12,441,245
Other										
Federal	31,597	7,243	52,386	3,820	12,719	107,765	0	295,690	295,690	403,455
TOTAL STATE - OFF. OF VOC.-TECH. & ADULT ED.	*2,175,930*	*116,896*	*572,445*	*92,066*	*0*	*2,957,337*	*0*	*43,785,784*	*43,785,784*	*46,743,121*
TOTAL FEDERAL - OFF. OF VOC.-TECH. & ADULT ED.	*1,055,970*	*129,858*	*356,683*	*27,784*	*44,072*	*1,614,367*	*0*	*26,339,043*	*26,339,043*	*27,953,410*
TOTAL COMBINED - OFF. OF VOC.-TECH. & ADULT ED.	*$ 3,231,900*	*$ 246,754*	*$ 929,128*	*$ 119,850*	*$ 44,072*	*$ 4,571,704*	*$ 0*	*$ 70,124,827*	*$ 70,124,827*	*$ 74,696,531*

APPENDIX C
SDE FISCAL YEAR 1991 BUDGETARY EXPENDITURES BY OFFICE

Office	Salaries	Travel	Contractual Services	Commodities	Equipment	Sub-Total	Other Than Equipment *	Subsidies, Loans and Grants	Sub-Total	GRAND TOTAL EXPENDITURES
GRAND TOTAL - STATE	*$ 12,211,962*	*$ 344,359*	*$ 4,947,495*	*$ 884,762*	*$ 214,052*	*$ 18,602,630*	*$ 6,431,566*	*$ 840,086,532*	*$ 846,518,098*	*$ 865,120,728*
GRAND TOTAL - FEDERAL/OTHER	*5,847,712*	*523,712*	*1,911,959*	*730,006*	*303,170*	*9,316,559*	*2,837,284*	*276,783,080*	*279,620,364*	*288,936,923*
GRAND TOTAL	*$ 18,059,674*	*$ 868,071*	*$ 6,859,454*	*$ 1,614,768*	*$ 517,222*	*$ 27,919,189*	*$ 9,268,850*	*$ 1,116,869,612*	*$ 1,126,138,462*	*$ 1,154,057,651*
RECONCILIATION TO SDE EXPENDITURES BY FUNCTION:										
GRAND TOTAL	*$ 18,059,674*	*$ 868,071*	*$ 6,859,454*	*$ 1,614,768*	*$ 517,222*	*$ 27,919,189*	*$ 9,268,850*	*$ 1,116,869,612*	*$ 1,126,138,462*	*$ 1,154,057,651*
Move Schools for the Deaf & Blind Expenditures to category for Public Schools & Other Education Costs	*-5,144,614*	*-45,851*	*-655,154*	*-523,220*	*-116,849*	*-6,485,688*	*-54,084*	*-15,000*	*-69,084*	*-6,554,772*
							54,084	*6,500,688*	*6,554,772*	*6,554,772*
	$ 12,915,060	*$ 822,220*	*$ 6,204,300*	*$ 1,091,548*	*$ 400,373*	*$ 21,433,501*	*$ 9,268,850*	*$ 1,123,355,300*	*$ 1,132,624,150*	*$ 1,154,057,651*

NOTES:

* The "Other than Equipment" category represents textbook procurement for schools.

** Office of Vocational-Technical & Adult Education detailed by funding sources; no bureau/division groupings available.

SOURCE: Compiled by PEER Staff from SDE's fiscal year 1991 unaudited budgetary expenditures.

APPENDIX D

BASIS FOR CATEGORIZING STATE DEPARTMENT OF EDUCATION ADMINISTRATIVE EXPENDITURES

Expenditure amounts (see Exhibit 11) were derived from PEER's analysis of SDE's funding structure and the relationships to functions within the department. PEER categorized the actual fiscal year 1991 budgetary expenditures (unaudited) at the lowest level possible within the organizational structure. These costs are further subdivided into categories by function, as follows:

State Administration
    --Instructional and School Support
    --Non-instructional

Public Schools and Other Education Costs
    --Instructional and School Support

(Note that the term "state administration" as used in this report coincides with the use in the SDE annual report, not with the category "SDE Administration" per SDE annual budget requests.)

PEER categorized these costs based on interviews and analysis of SDE functions at each organizational level. SDE does not account for expenditures at all organizational levels and could not provide complete data below the bureau level (office level for vocational-technical and adult education). (See report chapter on "Spending Priorities and Controls.") Also, the Department of Education could not provide data subdividing costs of instruction versus school support because the department does not capture expenditures at that level of function.

APPENDIX E

The National Education Goals

At the historic education summit in Charlottesville, the president and the governors declared that "the time has come, for the first time in United States history, to establish clear national performance goals, goals that will make us internationally competitive." The six national education goals contained here are the first step in carrying out that commitment.

America's educational performance must be second to none in the 21st century. Education is central to our quality of life. It is at the heart of our economic strength and security, our creativity in the arts and letters, our invention in the sciences, and the perpetuation of our cultural values. Education is the key to America's international competitiveness.

Today, a new standard for an educated citizenry is required, one suitable for the next century. Our people must be as knowledgeable, as well-trained, as competent, and as inventive as those in any other nation. All of our people, not just a few, must be able to think for a living, adapt to changing environments, and to understand the world around them. They must understand and accept the responsibilities and obligations of citizenship. They must continually learn and develop new skills throughout their lives.

America can meet this challenge if our society is dedicated to a renaissance in education. We must become a nation that values education and learning. We must recognize that every child can learn, regardless of background or disability. We must recognize that education is a lifelong pursuit, not just an endeavor for our children.

Sweeping, fundamental changes in our education system must be made. Educators must be given greater flexibility to devise challenging and inspiring strategies to serve the needs of a diverse body of students. This is especially important for students who are at risk of academic failure—for the failure of these students will become the failure of our nation. Achieving

SOURCE: *America 2000: An Education Strategy--Sourcebook.*

these changes depends, in large part, on the commitment of professional educators. Their daily work must be dedicated to creating a new educational order in which success for all students is the first priority, and they must be held accountable for the results.

This is not the responsibility of educators alone, however. All Americans have an important stake in the success of our education system, and every part of our society must be involved in meeting that challenge. Parents must be more interested and involved in their children's education, and students must accept the challenge of higher expectations for achievement and greater responsibility for their future. In addition, communities, business and civic groups, and state, local, and federal government each has a vital role to play throughout this decade to ensure our success.

> ***What our best students can achieve now, our average students must be able to achieve by the turn of the century.***

The first step is to establish ambitious national education goals —performance goals that must be achieved if the United States is to remain competitive in the world marketplace and our citizens are to reach their fullest potential. These goals are about excellence. Meeting them will require that the performance of our highest achievers be boosted to levels that equal or exceed the performance of the best students anywhere. The performance of our lowest achievers must be substantially increased far beyond their current performance. What our best students can achieve now, our average students must be able to achieve by the turn of the century. We must work to ensure that a significant number of students from all races, ethnic groups, and income levels are among our top performers.

If the United States is to maintain a strong and responsible democracy and a prosperous and growing economy into the next century, all of our citizens must be involved in achieving these goals. Every citizen will benefit as a result. When challenged, the American people have always shown their determination to succeed. The challenge before us calls on each American to help ensure our nation's future.

Goal 1: Readiness for School

By the year 2000, all children in America will start school ready to learn.

Objectives:

☐ All disadvantaged and disabled children will have access to high quality and developmentally appropriate preschool programs that help prepare children for school.

☐ Every parent in America will be a child's first teacher and devote time each day helping his or her preschool child learn; parents will have access to the training and support they need.

☐ Children will receive the nutrition and health care needed to arrive at school with healthy minds and bodies, and the number of low birthweight babies will be significantly reduced through enhanced prenatal health systems.

Goal 2: High School Completion

By the year 2000, the high school graduation rate will increase to at least 90 percent.

Objectives:

☐ The nation must dramatically reduce its dropout rate, and 75 percent of those students who do drop out will successfully complete a high school degree or its equivalent.

☐ The gap in high school graduation rates between American students from minority backgrounds and their nonminority counterparts will be eliminated.

Goal 3: Student Achievement and Citizenship

By the year 2000, American students will leave grades four, eight, and twelve having demonstrated competency in challenging subject matter including English, mathematics, science, history, and geography; and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

Objectives:

☐ The academic performance of elementary and secondary students will increase significantly in every quartile, and the distribution of minority students in each level will more closely reflect the student population as a whole.

☐ The percentage of students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially.

☐ All students will be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility.

☐ The percentage of students who are competent in more than one language will substantially increase.

☐ All students will be knowledgeable about the diverse cultural heritage of this nation and about the world community.

Goal 4: Science and Mathematics

By the year 2000, U.S. students will be first in the world in science and mathematics achievement.

Objectives:

☐ Math and science education will be strengthened throughout the system, especially in the early grades.

☐ The number of teachers with a substantive background in mathematics and science will increase by 50 percent.

☐ The number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

Goal 5: Adult Literacy and Lifelong Learning

By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Objectives:

- ☐ Every major American business will be involved in strengthening the connection between education and work.
- ☐ All workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new technologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs.
- ☐ The number of quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and mid-career students will increase substantially.
- ☐ The proportion of those qualified students, especially minorities, who enter college; who complete at least two years; and who complete their degree programs will increase substantially.
- ☐ The proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially.

Goal 6: Safe, Disciplined, and Drug-Free Schools

By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

Objectives:

- ☐ Every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol.
- ☐ Parents, businesses, and community organizations will work together to ensure that the schools are a safe haven for all children.
- ☐ Every school district will develop a comprehensive K-12 drug and alcohol prevention education program. Drug and alcohol curriculum should be taught as an integral part of health education. In addition, community-based teams should be organized to provide students and teachers with needed support.

APPENDIX F

DESCRIPTION OF THE BOARD OF EDUCATION'S FIVE-YEAR PLAN

The 1991-1995 Five-Year Plan for Educational Improvement and earlier five-year plans published by the Board of Education present major objectives in areas ranging from student assessment to community involvement. Each of these sections sets forth an objective stating in general terms what will be done to promote improvement in each area. Under each objective is a "Plan of Action" listing more specific activities related to the objective.

For example, one of the nine objectives for the period 1991-1995 is "*to establish attendance policies that would give students an opportunity to achieve an education and to encourage students to earn a high school diploma*." Under this objective, the plan of action includes forming a dropout prevention coordination team, securing additional funding for attendance officer positions and establishing uniform standards and measures for all vocational education programs. These statements of activity are followed by a table listing the years of their intended accomplishment. The details of the plan are preceded by a summary of the "areas of emphasis," which are "*specific educational areas that can stimulate educational improvement in Mississippi*." The most recent plan also states which offices within the Department of Education are responsible for ensuring accomplishment of each objective, but previous plans did not fix responsibility on any unit within the department.

The tenth and final section of the plan presents a series of "Indicators of Educational Progress." The objective presented in this section of the 1991--1995 plan is "*to analyze [outcome] indicators . . . which will allow the State Board of Education and others concerned with education in Mississippi to monitor and evaluate the effectiveness of programs initiated to improve the quality of education*." This section sets forth an eight-part "Plan of Action." It is the only section of the plan containing measurable statements of intended outcome, which range from increases in average attendance to improvements in academic performance as measured by test scores. However, these statements do not provide information on the amount by which the Board of Education intends to improve performance. Instead, they present statistical projections of approximately how much improvement can be expected if current trends continue. Under each "plan of action" (performance-based objective) is a list showing "methods of improvement." These methods describe how the Department of Education will interact with local districts to accomplish the objectives.

APPENDIX G

METHODOLOGY FOR CALCULATING THE NUMBER OF VOCATIONAL AND SPECIAL EDUCATION STUDENTS WHICH SDE DOUBLE COUNTED IN THE 1989-90 SCHOOL YEAR

Estimate of the Number of Handicapped Students Double Counted by SDE

For the 1989-90 school year, SDE reported an ADA total of 12,129 self-contained special education students (8,318 elementary and 3,811 secondary). Sub-section 3 of MISS. CODE ANN. Sec 37-19-5 (1972) prohibits SDE from counting these students toward regular ADA.

PEER staff estimated the total handicapped ADA population from which to subtract the self-contained handicapped population and thereby estimate the number of handicapped students which SDE double counted as follows. PEER used the total number of handicapped students which SDE reported to the federal government in its 1989 December 1 unduplicated child count (58,987) as its base and subtracted those categories of students included in the December 1 child count who would not generate special or regular teacher units because they are not educated in the public schools, namely: private separate school facilities (17), public residential facilities (425), private residential facilities (24), homebound/hospital placements (286), handicapped children served in correctional facilities (6), and handicapped children served in private schools (43). PEER staff then adjusted this revised total of 58,186 handicapped children in Mississippi public schools as of December 1, 1989 to reflect average daily attendance as opposed to membership (58,186 x .95=55,277). (ADA was 95% of enrollment in 1990-91.)

From this total of 55,277 estimated handicapped ADA students educated in Mississippi public schools, PEER staff also subtracted pre-kindergarten students (a totally self-contained special education program) who SDE does not count towards regular ADA. For the 1989-90 school year, SDE reported an average daily membership in pre-kindergarten of 417 students, which converts to 396 pre-kindergarten students in average daily attendance (.95 x 417). Subtracting these pre-kindergarten students from 55,277 left 54,881 as the ADA population of handicapped students in the public schools. By subtracting the number of special education students which SDE reported as self-contained for the 1989-90 school year (12,129) from 54,881, PEER staff arrived at an estimated total of 42,752 handicapped students who SDE counted towards both special and regular education teacher units during the 1989-90 school year.

Estimate of the Number of Gifted Students Double Counted by SDE

PEER staff estimated the number of gifted students who SDE counted towards regular and special education teacher units by taking the number of gifted special education teacher units allocated by SDE to the districts for the 1989-90 school year (523.88) and multiplying this total by the average number of gifted students required to generate a special education teacher unit, according to SDE staff (30). Using this method, PEER staff estimated that SDE counted 15,716 gifted students towards both regular and special education teacher units during the 1989-90 school year.

Estimate of the Number of Vocational Students Double Counted by SDE and the Number of Regular Teacher Units Generated by these Students

PEER staff estimated the number of full-time-equivalent vocational education students who SDE double counted by multiplying the secondary enrollment for each type of vocational education class by the percent of hours per day spent in these classes to arrive at a full-time equivalent student total for each category of classes (Skill/Technical, Basic Skills and Enrichment). Based on this methodology, PEER staff estimates that SDE counted 16,332 full-time equivalent vocational students toward both vocational and regular teacher units during the 1989-90 school year. Based on a secondary student/teacher ratio of 27:1 for regular education, PEER estimated that these 16,332 full-time equivalent vocational students generated 605 regular teacher units because they were counted as 100% regular education for purposes of ADA counting, even though, as full-time equivalent vocational students, they actually spent 100% of their day in vocational education.

Estimate of the Total Number of Students Double Counted by SDE during the 1989-90 School Year

Adding each independent estimate together (42,752 handicapped, 15,716 gifted and 19,757 vocational), PEER calculates that SDE double counted 78,225 students during the 1989-90 school year.

To estimate the number of regular education teacher units and associated costs which this double counting of special education students generates, PEER staff divided the total number of students, excluding the vocational students (to whom a different teacher/pupil ratio would apply because these students are all on the intermediate and secondary levels) (58,468) by the average student/teacher ratio for grades K through twelve (25.12) to arrive at an estimated 2,328 regular education teacher units generated by students in special education, including gifted education. PEER added the regular teacher units generated by vocational students (605)to this number to arrive at a total regular education teacher unit estimate of 2,933, which represents PEER's estimate of the number of regular education teacher units attributable to double-counting. PEER staff estimated the costs of these special education student generated regular teacher units to be $81.4 million by multiplying the total (2,933) by the minimum program cost per regular education teacher ($27,751).

APPENDIX H

BUREAU OF SPECIAL SERVICES FORM FOR CROSS-MATCHING DATA

School District ☐

December 1, 1990 Data Reported on Federal Table 3 ☐

Original Feb. 15, 1991 Teacher Unit Data ☐

Updated Teacher Unit Data Date: ☐

Updated Teacher Unit Data Date: ☐

Updated Teacher Unit Data Date: ☐

Updated Teacher Unit Data Date: ☐

ADA – 1st Month 1990–91 ☐

ADA – 7th Month 1990–91 ☐

ADA– 1st Month 1991–92 ☐

☐ Possibly Not a Problem Based on Submitted Data

☐ Probably needs further study!

APPENDIX I

STATE DEPARTMENT OF EDUCATION POLICY ON VOCATIONAL PROGRAM ELIMINATION

Policy: Closures of Vocational and Technical Ongoing Programs	**Code:** 2.130	**Approved:** 1/19/90
Cross Reference: 5.010/2.041	**Rescinds:** 2.130	**Approved:** 6/25/85

The Mississippi State Board of Education/Board of Vocational and Technical Education shall require the local educational agencies to maintain established minimums/maximums in order to apply for vocational support for ongoing vocational and technical programs.

The OVTAE shall be responsible for collecting and monitoring the data for these minimums/maximums and standards to insure that the following requirements are met:

A. **Vocational Program Standards**

The local educational agency shall meet minimum established vocational program standards to be eligible to receive reimbursement and continuation of other vocational support. Standards are to include the utilization of state adopted curricula for each vocational program.

B. **Minimum Performance Requirements**

The OVTAE shall annually collect and monitor the enrollments, completers, and placement of all ongoing vocational program students and establish and maintain a formula for rating the programs based on a statewide comparison of similar programs. Programs in the lower ranking of these performance ratings shall be monitored and notified of deobligation prior to March 1 of the following year. Programs that can document improvements in their performance within the Nov-Apr. 91 first six (6) months of the following year for which the Oct. 1990 data was collected shall not be placed on the deobligation list and shall be allowed to continue eligibility for funding pending formal documentation and approval. The OVTAE, with the approval of the State Board of Education, shall establish a cutoff for each classification of programs annually. Local agencies with programs that meet standards but do not measure up to performance criteria may be allowed to convert their vocational resources to more applicable programs to meet the needs of employers and students within the agencies' service district through the New Program Approval Process.

C. **Minimum Enrollments**

Minimum enrollments per teacher are to be evaluated annually; and extremely low enrollments per teacher shall be adjusted by teacher/program reductions. Any ongoing teacher/program reductions must be determined prior to March 1.

Written notification of all deobligations shall be mailed to affected local educational agencies no later than March 1 of each year.

APPENDIX J
VOCATIONAL EDUCATION PROCEDURE FOR COMPUTING Z-SCORE
PROGRAM RATING SYSTEM FOR VOCATIONAL ONGOING PROGRAMS

The program rating system is based on giving equal value to three (3) major measurable/quantitative values:

1. the unduplicated enrollment of each program compared to each full time equivalent teacher receiving reimbursement,
2. the percentage of students enrolled that completed one or more levels during the reporting period and/or are making progress at the end of the enrollment period when the class/program is in session at the close of the reporting year (June 30) and the percentage of students that stay in the program to the end or duration, and
3. the percentage of the students that completed a level that are placed in a priority order at a higher level of education or employment.

The first step in the rating system process is to collect the enrollment and completion data, by level, from each ongoing secondary and postsecondary vocational program. Form VESE-120 (Exhibit A-1) is used for this purpose and is to be completed at the end of the school year for secondary districts and at the end of the fiscal year for postsecondary districts. The schools are asked to profile each level of instruction offered (by classes at the secondary schools and by semester or other measure at the postsecondary schools) to reflect the enrollment and completion data by each of these measurable levels. In addition to Section A, this form is used to collect data needed for federal reports and/or required analysis.

The second step in the rating system process is to computerize all data collected and to return to the school districts in late September a profile report of data entered and a follow-up report Form VESE 140 (Exhibit A-2) to be used in submitting the follow-up data for each program by level. Those students that were reported as completing a level in a program are to be followed-up by October 15 and classified by major categories of education, employment or other.

The third step in the rating system process is to add the follow up data to the computerized records of each program by level.

The fourth step in the rating system process is to:

1. divide the computer data into four (4) different files by like programs - enrichment, basic, secondary occupational and postsecondary occupational, and

2. begin development of profile sheets for each of these files that will be used as the base data sheets for analysis. (Exhibits B1, B2, B3, & B4)

The fifth step in the rating system process is to take the base data sheets (files) developed in step four and create a formula for rating and ranking each type of program in the data base. (Exhibit C1 and Exhibits D1, D2, D3, & D4) The standard deviation formula for a "Z" score and an expanded "Z" or "T" score is to be used to obtain like comparison elements for each of the three major fields to be used in the formula.

To obtain the enrollment per instructor, each program's unduplicated enrollment is divided by the percentage of time of teacher(s) to obtain enrollment by FTE. The FTE is converted by the standard deviation calculation to a standard score ("Z" score) to be used as one-third of a formula weight of the program. This factor is calculated the same for each of the four (4) major types of programs.

To obtain the completion/retention, the percent of students completing a level is multiplied by four and added to the average combined percentage of those passing and failing and then divided by five to give a weighted value (WT VAL). The weighted value is converted by the standard deviation calculation to a standard score ("Z" score) to be used as one third of the formula weight. This factor is calculated the same for each of the four major types of programs.

To obtain the placement and follow-up, weighted priority values were placed on the follow-up categories for each of the four major program types as per this worksheet:

	Enrichment	Basic	Sec-Occ	Postsec
SEC-VOC	5	5	5	0
SEC-ACC	4	3	2	0
PS-VOC	0	0	5	5
PS-RVOC	0	0	4	4
PS-NRVOC	0	0	3	3
PS-ACCREL	0	0	2	2
PSACNR	0	0	1	1
EM-FLTR	0	0	5	5
EM-FLRE	0	0	4	4
EMP-NONR	0	0	2	2
MILT	0	0	3	3
UNEMP	0	0	1	1

Follow-up Categories:

SEC-VOC	Secondary students who have completed a level of vocational education and are taking advantage of secondary vocational opportunities at another level/program.
SEC-ACC	Secondary students who have completed a level of vocational education and are still in a secondary school but are not taking advantage of vocational opportunities.
PS-VOC	Secondary students who completed a level of occupational vocational education and have transferred to a postsecondary vocational program that matches or postsecondary students who are enrolled at a higher level in the same program.
PS-RVOC	Secondary students who completed a level of occupational vocational education and have transferred to a postsecondary vocational program that is related to their training or postsecondary students who transferred to another vocational program that is related to their training.
PS-NRVPC	Secondary students who completed a level of occupational vocational education and have transferred to a postsecondary vocational education program that is not related to their training or postsecondary students that transferred into another vocational program that is not related to the one taken.
PS-ACCREL	Secondary or postsecondary students who have taken occupational vocational training and transferred to an academic program related to the vocational training.
PS-ACNR	Secondary or postsecondary students who have taken occupational vocational training and transferred to an academic program that is not related to the vocational training.
EM-FLTR	Secondary or postsecondary students who have taken occupational vocational training and are employed in the area for which training was taken.

EM-FLRE	Secondary or postsecondary students who have taken occupational vocational training and are employed in a related area for which training was taken.
EM-NONR	Secondary or postsecondary students who have taken occupational vocational training and are employed in an occupational area not related to training.
MILT	Secondary or postsecondary students who have taken occupational vocational training and are serving in one of the branches of the military.
UNEMP	Secondary or postsecondary students who have taken occupational vocational training and are unemployed and seeking employment.

The weighted value of each type of program is multiplied by the percentage of students in the category and totaled. The total is then divided by five for the weighted value (WT VAL). The weighted value is converted by the standard deviation calculation to a standard score ("Z" score) to be used as one third of the formula weight.

The three "Z" scores for each of the program factors are added and divided by three to obtain an average "Z" score for each of the programs.

The sixth step in the rating system process is to place each program in a major category into an ascending order by the average "Z" score and to place a rank order number to each of the programs by descending order (Exhibits E1, E2, E3, & E4). A program ranked 1 of 1,023 would mean that this is the number one program out of 1,023 programs while a program ranked 1,023 of 1,023 would mean that this is the very lowest ranked program.

The seventh step in the rating system process is to place data obtained in the first six steps into a computer data base so that the data can be used for various output comparisons such as:

1. A list by school districts of all programs offered by the district in rank order and how the average of all the districts' "Z" scores is related to the other school districts across the state. (Exhibit F1)

2. A list in descending order of "Z" scores for each major supervisory area by enrollment (Exhibits G1,2,3,4), passing/retention (Exhibits H1,2,3,4), placement (Exhibits I1,2,3,4) and average total (Exhibits J1,2,3,4). The listing will enable the supervisor to spot major areas of deficiencies and to direct their supervisory efforts to programs needing assistance and/or changing to other offerings.

3. A sample of other reports which can be obtained from the master file that contains all data collected from the enrollment and follow-up reports can be found in Exhibits K,L1,L2,L3, & L4)

APPENDIX K

Vocational Programs Ranking in the Lower 8% in FY 1989 and Funded in FY 1992 without Demonstrating Improvement

Program Area	Type of Program	District Name	CIPCODE	CIP Name	Vo Ed Cost for Prog w/ 3 declines	Vo Ed Cost for Prog w/ 2 declines	'92 Min. Program Salary	Total State Salary Cost
Home Economics	Basic	Moss Point	264	Basic Personal Services	$0	$2,032	$5,081	$7,114
Home Economics	Basic	Rankin	264	Basic Personal Services	0	1,391	1,739	3,131
Home Economics	Basic	Sunflower	264	Basic Personal Services	8,500	0	10,625	19,126
Agriculture/Farm Rel	Enrichment	Lauderdale	10391	Agriculture Enrichment	3,404	0	8,511	11,915
Home Economics	Enrichment	E. Jasper	200101	Comprehensive Consumer	1,399	0	3,498	4,897
Home Economics	Enrichment	Scott	200101	Comprehensive Consumer	0	4,319	10,797	15,116
Home Economics	Enrichment	Hattiesburg	200101	Comprehensive Consumer	5,099	0	12,748	17,847
Home Economics	Enrichment	Holmes	200101	Comprehensive Consumer	0	1,787	4,469	6,256
Home Economics	Enrichment	Monroe	200101	Comprehensive Consumer	0	926	2,314	3,240
Technology Education	Enrichment	V'burg/Warren	210101	Technology Education, Gen.	0	3,444	8,610	12,054
Business & Office	Postsecond. Occup	MGCCC	70601	Secretarial & Related Pro	0	118,262	0	118,262
Trade & Technical	Postsecond. Occup	C-LCC	460201	Carpentry	0	17,311	0	17,311
Trade & Technical	Postsecond. Occup	Coahoma C.C.	470104	Computer Electronics Rep	0	19,893	0	19,893
Trade & Technical	Postsecond. Occup	Coahoma C.C.	150202	Drafting & Design Tech	0	24,737	0	24,737
Trade & Technical	Postsecond. Occup	Coahoma C.C.	480508	Welding, Brazing & Sold	0	24,737	0	24,737
Trade & Technical	Postsecond. Occup	Hinds CC	480508	Welding, Brazing & Sold	0	15,050	0	15,050
Agriculture/Farm Rel.	Secondary Occup	Lauderdale	10601	Horticulture, General	0	6,477	6,610	13,087
Business & Office	Secondary Occup	Lowndes	70701	Typing, Gen.	0	10,131	10,338	20,469
Business & Office	Secondary Occup	Desoto	70701	Typing, Gen.	0	12,038	12,284	24,322
DE/Co-op	Secondary Occup	Biloxi	201	Distributive Educ.	0	6,873	7,013	13,887
DE/Co-op	Secondary Occup	Desoto	204	Diversified Cooperative	0	9,668	9,865	19,533
DE/Co-op	Secondary Occup	Simpson	204	Diversified Cooperative	0	10,575	10,791	21,367
Health & Medical Relat.	Secondary Occup	Biloxi	170690	Health Cluster	0	10,859	11,081	21,940
Health & Medical Relat.	Secondary Occup	MGCCC	170690	Health Cluster	0	16,944	0	16,944
Health & Medical Relat.	Secondary Occup	Jackson	170690	Health Cluster	0	9,668	9,865	19,533
Home Economics	Secondary Occup	McComb	200201	Child Care & Guid Mgt	0	10,609	10,825	21,434
Home Economics	Secondary Occup	George	200401	Food Prod., Mgt., & Se.	7,893	0	8,054	15,948
Home Economics	Secondary Occup	Hinds CC	200201	Child Care & Guid Mgt	0	0	0	0
Home Economics	Secondary Occup	Lauderdale	200301	Clothing/Apparel/Textiles	0	11,058	11,284	22,342
Home Economics	Secondary Occup	Senatobia	200301	Clothing/Apparel/Textiles	0	9,663	9,860	19,522
Home Economics	Secondary Occup	Grenada	200301	Clothing/Apparel/Textiles	0	12,449	12,703	25,152
Home Economics	Secondary Occup	Alcorn	200301	Clothing/Apparel/Textiles	0	10,203	10,411	20,614

APPENDIX K

Vocational Programs Ranking in the Lower 8% in FY 1989 and Funded in FY 1992 without Demonstrating Improvement

Program Area	Type of Program	District Name	CIPCODE	CIP Name	Vo Ed Cost for Prog w/ 3 declines	Vo Ed Cost for Prog w/ 2 declines	'93 Min. Program Salary	Total State Salary Cost
Technology Education	Secondary Occup	Monroe	150991	Diversified Tech.	8,211	0	8,378	16,589
Trade & Technical	Secondary Occup	Amory	470604	Automotive Mechanics	0	9,469	9,662	19,131
Trade & Technical	Secondary Occup	Holmes	480590	Metal Trades	0	11,455	11,689	23,144
Trade & Technical	Secondary Occup	Noxubee	480590	Metal Trades	0	14,422	14,716	29,138
Trade & Technical	Secondary Occup	PRCC	470603	Automotive Body Repair	0	16,577	0	16,577
Trade & Technical	Secondary Occup	Hinds	470604	Automotive Mechanics	12,449	0	12,703	25,152
Trade & Technical	Secondary Occup	MGCCC	470604	Automotive Mechanics	0	7,738	0	7,738
Trade & Technical	Secondary Occup	PRCC	470604	Automotive Mechanics	0	20,614	0	20,614
Trade & Technical	Secondary Occup	Drew	470604	Automotive Mechanics	0	12,449	12,703	25,152
Trade & Technical	Secondary Occup	Marion	470203	Heating & Air condition	0	9,469	9,662	19,131
					$46,956	$483,296	$258,890	$619,142

APPENDIX L

VOCATIONAL PROGRAMS WITH LOW ENROLLMENT IN FY 1989 OR 1990 THAT WERE FUNDED IN FY 1992

District	Program Type	Division Name	Vo Ed Salary Cost	Min. Prog. Salary Cost	Total State Salary Cost
SECONDARY					
Lauderdale	Enrichment	Agriculture	$3,404	$8,511	$11,915
Hattiesburg-05SC	Enrichment	Home Ec.	1,469	3,672	5,140
Lincoln	Basic	Home Ec.	1,509	3,772	5,280
Oktibbeha-04SC	Enrichment	Home Ec.	2,596	6,491	9,087
Rankin-08SC	Enrichment	Home Ec.	3,668	9,170	12,837
Jefferson	Enrichment	Tech. Ed.	4,016	10,039	14,054
Grenada	Sec. Occup.	Agriculture	11,800	12,041	23,841
Alcorn	Sec. Occup.	Business	15,349	15,662	31,011
Alcorn	Sec. Occup.	Health	9,668	9,865	19,533
Ocean Springs	Sec. Occup	Tech. Ed.	14,820	15,122	29,942
Tunica	Sec. Occup	Tech. Ed.	12,449	12,703	25,152
			$80,748	$107,046	$187,793
POSTSECONDARY					
Northwest Miss. CC	Postsec. Occup.	Agriculture	$51,266		$51,266
Copiah-Lincoln CC	Postsec. Occup.	Trade & Tech	21,213		21,213
Hinds CC	Postsec. Occup.	Trade & Tech	27,856		27,856
Itawamba CC	Postsec. Occup.	Trade & Tech	22,535		22,535
Southwest Miss. CC	Postsec. Occup.	Trade & Tech	15,842		15,842
Southwest Miss. CC	Postsec. Occup.	Trade & Tech	15,109		15,109
			$153,820	$0	$153,820
TOTAL			$234,568	$107,046	$341,613

APPENDIX M

MEMORANDUM FROM DR. TOM SATERFIEL, FORMER SDE DEPUTY SUPERINTENDENT, ON ANALYSIS OF BSAP DATA

ACT Memo

TO: Dr. Max Arinder cc: R. D. Harris

FROM: Thomas H. Saterfiel

DATE: February 14, 1992

RE: Use of BSAP data

This memo is intended to summarize our conversation of February 13, 1992, and to clear up any confusion about the purpose of the BSAP program and the proper use of that data. The BASP was designed to provide group-level reports to local school districts in terms of the objectives that were part of the state of Mississippi's curriculum frameworks in the specific subject areas. The assessments were not designed to provide valid information for an individual student; they were designed to show districts where special attention might be given to their own instructional programs because the group achievement on an objective was low. In the early days of the program, some schools were trying to base decisions about student promotion and retention on the BSAP results alone. Such use was not appropriate.

In your conversation with me, you asked if it were appropriate to present the BSAP data in a fashion that reported the estimated number of students who would score above or below 80 percent correct on the exam. That is appropriate, of course, since such an analysis would still be a presentation of group data. Such a procedure would be subject to a certain error depending on the sample size within the district, but it would be a reasonable way to present the results.

I would also like to note that the mean score on the BSAP was chosen for use in the accreditation system because the mean of a test has the mathematical attributes necessary for using the score in the formula used to assign districts to Level 1, 2, or 3. Guidelines were also established requiring that all schools had to meet the established standard before a district would be declared as a Level 3 district. There was no intention to hide anything from the public through this process. The reporting to the public is accomplished through the "Report Card," which is issued each fall and contains far more data about the district than is used in the accreditation system.

Finally, in my opinion, at the time the system was created there was never a view that Level 3 districts were excellent and had no problems, only that they were not in such trouble that the State Department of Education needed to monitor their progress to the same degree as Level 1 and 2 districts. It is also true that the system was designed to have only the number of districts placed at Level 1 for which the Department had resources to help those districts. A higher standard could have been esatablished, with more districts placed at the lower levels of accreditation, but without resources to deal with the districts nothing could have been done to help them. It was always assumed that the state was dealing with the most difficult cases first and that as time progressed the standards would be raised as there was a capacity to provide help.

The greatest criticism of the BSAP and the FLE is that they measure only the basic skills, but at the time they were developed, that is where the greatest problems were. Changing that focus to higher-order thinking skills would be appropriate, but funding must be provided to develop and administer that system. I do think that the system has served to bring about progress in the state from where we were in 1980, but that does not mean that all the problems have been resolved and that new efforts should not be taken to move the system forward.

It is my hope that these written words summarize the conversation we had on February 13, 1992, and provide for you a record of my recollection of how the accreditation system was designed and how the BSAP and the FLE fit into the system. Should there be further questions concerning this issue, I will be glad to talk with you again.

APPENDIX N

PERFORMANCE STANDARDS FOR ACCREDITATION LEVELS 1 THROUGH 5

Levels 1 Through 3

Accreditation Level 3 (Accredited-3) is assigned to school districts that meet 100% of the process and performance standards of the State Department of Education. Accreditation Level 2 is assigned to school districts that meet 100% of the department's process standards and 70% to 99% of the performance standards. Accreditation Level 1 (Accredited-1-Probationary) is assigned to school districts that meet less than 100% of the department's process standards and less than 70% of the performance standards.

Levels 4 and 5

For Level 4 (Distinguished Achievement) and Level 5 (Model District) status, the district's district-wide mean on at least five (70%) of the seven tests listed below must be equal to or greater than the scores listed:

SAT* Grade 4	50th percentile nationally
SAT Grade 6	50th percentile nationally
SAT Grade 8	50th percentile nationally
BSAP Grade 5	Mean of districts meeting Level 3 long-term minimum
FLE	Mean of districts meeting Level 3 long-term minimum
ACT** (college core only)	Mean of districts meeting Level 3 long-term minimum

*Stanford Achievement Test
**American College Test

APPENDIX O

DESCRIPTION OF MISSISSIPPI'S LITERACY PROGRAMS

Major adult literacy programs currently in effect are described below in chronological order by year of introduction with some historical detail to convey the patchwork character of the current adult literacy program structure in Mississippi. Each section below includes information on the target population and funding level for each major program operating in the state. The state agencies involved in the literacy programs also are listed with these program descriptions. One of these, the Office for Literacy, is a new agency that was created within the Department of Finance and Administration to promote literacy training. This agency is described in the section on the Job Training Partnership Act, which provides funding for the Office for Literacy's staff positions.

1940-1974: Mississippi's Original Adult Education and High School Equivalency Program

The existing Adult Basic Education/General Education Development (ABE/GED) program has its origins in state and federal legislation passed from 1940 through 1974. The Mississippi acts, currently codified as MISS. CODE ANN. Sections 35-37-1 through 7 and MISS. CODE ANN. Sections 35-37-9 through 11, authorize instructional programs for adults who are illiterate or who are preparing for the high school equivalency test.

In the 1940 act, the Mississippi Legislature directed the State Board of Education to establish rules and regulations for a program of adult education "supplying educational advantages to . . . persons eighteen years of age and over." In addition to specifying elimination of adult illiteracy as the aim and purpose of this program, the statute lists a series of adult enrichment topics forming the basis of "a general plan of continuing education." These topics include the fundamental principles of a democratic society, citizenship, public affairs, home family life, arts and crafts, general cultural subjects and technical skills and trades needed by industries.

In addition to creating the adult education program, the legislature also authorized local school boards to request authority to levy a one-mill local ad valorem tax in support of adult education programs and designated the State Board of Education as the recipient of any federal funds made available to the state for the purpose of adult education.

The U. S. Congress passed the Adult Education Act in 1966 to provide learning opportunities for adults who had not completed high school. Congress amended this legislation in 1970 to expand opportunities for high school completion. A 1974 act by the Mississippi legislature authorized school districts and junior colleges to develop high school equivalency preparation programs for adults working toward the General Education Development (GED) certificate. The act, codified as MISS. CODE ANN. Sections 37-35-9 and 11, requires that the state Board of Education develop rules and regulations for the GED program.

Another state-level entity involved in the ABE/GED program is the Mississippi Advisory Council for Adult Education. The Mississippi Department of Education exercised an option made available in the 1988 amendments to the federal Adult Education Act (Public Law 100-297) by including the establishment of this council in its first Four Year Plan for Adult Education. The Governor established the Council in 1989 to perform advisory duties specified in federal law. These include developing a state plan for adult literacy, recommending policy to strengthen adult education and coordinating with private sector initiatives to assist the state in improving adult education programs. The Advisory Council also approves the evaluation plan for the Department of Education's adult education programs and provides evaluation results and recommendations to the Governor, the Legislature and the public. The Council's membership includes representatives of public education; private and public sector employment; recognized State labor organizations; private, voluntary, or community literacy organizations; libraries; and the Department of Economic and Community Development.

Mississippi's ABE/GED program serves adults who have less than a high school education, who are not enrolled in school and who lack the literacy skills needed for effective citizenship and productive employment Mississippi's statutes (MISS. CODE ANN. Sections 37-35-1 and 9) limit ABE/GED program participation to persons eighteen years of age and older. However, the state's ABE/GED program currently is targeted to provide educational opportunities for adults 16 years of age and older who have less than a high school education, who are not enrolled in school and who lack the level of literacy skills needed for effective citizenship and productive employment. Most of the program's funding is from federal sources, which operate under federal regulations defining "adult" as an individual who has attained 16 years of age. Nevertheless, MISS. CODE ANN. Section 37-35-5 authorizes expenditure of federal funds only for the program described in Chapter 37-35, which restricts participation to adults 18 and older. The program therefore is technically out of compliance with state law.

Federal law places other restrictions on ABE/GED program participation. Although adults functioning at all elementary and secondary skill levels are eligible for the program, recent amendments to the federal ABE/GED legislation require that preference be given to projects serving adults whose basic skills are below the fifth grade level. In addition, the current state plan indicates that at least 10% of federal grant funds are to be used in serving criminal offenders in correctional institutions and in providing services to other institutionalized adults.

The ABE/GED program is funded primarily by the federal government. Mississippi began receiving federal Adult Basic Education funds through the Adult Education Act of 1966 (Public Law 89-750). Originally, this act provided funding for adult basic education (ABE), which included instruction in basic academic skills. As a result of amendments to the original Act, the current federal program also provides funds for high school equivalency instruction to prepare participants for the General Educational Development test. However, not more than 20% of a state's allotment of federal funds may be used to support high school equivalency instruction.

Mississippi's federal ABE/GED funding, which is provided through a formula grant by the U. S. Department of Education, was $2,036,282 in FY 1990. The state and local match expenditure for the ABE program was $305,697 (15%) in FY 1990, but the match requirement will increase to 25% in FY 1992. This FY 1990 state and local match expenditure included $147,751 (48%) in state funds and local program cash or in-kind contributions of $157,946 (52%). The state provides no additional funding for this program.

The ABE/GED program is relatively inexpensive. The FY 1990 program served a total of 18,957 students at a total cost of $111.20 per student. The program cost for the 6,271 successful student s was $375.24 per student.

The Adult Literacy Branch of the Department of Education's Supportive Services Division (Office of Vocational, Technical and Adult Education) oversees local ABE/GED programs. The Adult Literacy Branch, with input from the Office for Literacy in the Department of Finance and Administration and from the Employment and Training Division (formerly the Labor Assistance Division) in the Department of Economic and Community Development, selects local service providers from proposals submitted to the Branch. Literacy Branch personnel said two of the criteria used by reviewers in rating project proposals are the extent to which project objectives relate to the state adult education plan developed by the Adult Literacy Branch and the service provider's record of success in delivering literacy instruction. Branch staff also monitor programs receiving ABE/GED funds and train literacy program instructors. In addition, the Literacy Branch administers the GED testing and certification program.

1982: Federal Job Training Partnership Act Programs

The Federal Job Training Partnership Act (JTPA) has funded literacy instruction in Mississippi since 1982. From that time until FY 1990 the Governor's Office of Federal-State Programs and the state's Office of Vocational and Technical Education directed a small portion of the annual JTPA grant toward the support of local literacy programs. This funding supported 28 local literacy programs in FY 1989. For the most part, volunteers provided the literacy instruction available through these early JTPA-funded programs, some of which primarily served adults 55 and older.

In 1989 the Governor earmarked discretionary funds, known as State Education Coordination and Grants funds, for use in literacy programs. The adult and youth section of the federal Job Training Partnership Act (Public Law 97-300, Title IIA) sets aside 8% of a state's annual JTPA IIA grant for use by the Governor to establish cooperative agreements between the state education agency and providers of education and training services. Under these agreements service providers train JTPA-eligible participants.

Prior to FY 1990, incumbent governors chose to use discretionary State Education Coordination and Grants funds (8% funds) to support adult education and training programs whose aim was to increase individuals' employability, to increase individuals' earnings and to reduce welfare dependency. These funds provided limited support for literacy instruction. Exhibit 32 shows the amount and percent of JTPA State Education Coordination and Grants funds directed toward literacy instruction and services, as well as toward literacy program administration, for the period from FY 1987 through 1990.

Since FY 1990 the Governor has diverted all 8% discretionary funds for use in literacy programs. As a result, JTPA funding for literacy instruction has increased from $508,000 in FY 1989 (the year immediately preceding the change) to $1,943,000 in FY 1990. The number of local JTPA-funded literacy programs has grown from 28 programs serving 2,894 participants in program year 1989 to 47 programs serving 3,881 participants in FY 1990.

The Employment and Training Division (formerly the Labor Assistance Division) of the Department of Finance and Administration directs a portion of the JTPA 8% funds earmarked for literacy toward support of the Office for Literacy in the Department of Finance and Administration. In June, 1989, during the state agency reorganization process, the Fiscal Management Board notified the State Personnel Board of its intention to establish an Office for Literacy under the newly created Department of Finance and Administration. Although the Fiscal Management Board did correspond with the State Personnel Board regarding the Office until June 29, 1989, the Office for Literacy itself reports a fall, 1988 start-up date. The discrepancy in start-up dates is attributable to the Fiscal Management Board's use of contractual funds, as opposed to staff positions, to compensate personnel during the period from Fall, 1988 through July, 1989.

In requesting Personnel Board approval for this staff, the Fiscal Management Board said the Office would be funded entirely through JTPA 8% funds. As Exhibit 32 indicates, the Employment and Training Division of the Department of Economic and Community Development directed $273,860 in JTPA 8% State Education Coordination and Grants funds to the new Office for Literacy. Office staff members said the Governor established the Office for Literacy to "devise and oversee a sustainable and effective strategy for improving and expanding the delivery of literacy services."

JTPA literacy programs serve adults with a reading level at or below grade 8.9 (last month of the eighth grade). JTPA guidelines require that most JTPA program participants be economically disadvantaged. Federal guidelines establish grade 8.9 as the highest reading level for JTPA eligibility and require that no less than 75% of all program funds be used in providing services for economically disadvantaged participants. Participants must be 16 years or older.

JTPA literacy programs are funded primarily by the federal government, but local providers must raise a cash or in-kind match equal to 100% of their federal JTPA funding. Mississippi's JTPA IIA grant for FY 1991 is $36,308,137. Of that amount, $2,904,651 (8%) is designated for literacy instruction. The state is permitted under federal regulations to use 20% ($580,930) of the literacy set-aside for coordinating services (i.e., for administration at the state level). The remaining 80% ($2,323,721) of the set-aside must be used to provide training and related participant services. In addition, local service providers who receive JTPA funds must match the full amount of the funds provided for training and related services. Providers may use either cash or in-kind services to reach this local match requirement. In addition to the FY 1991 JTPA IIA grant, the Department of Economic and Community Development also has $648,289 available in JTPA IIA carryover funds from prior fiscal years for use in providing literacy services. No state funds are appropriated for the JTPA literacy program.

The JTPA literacy program is relatively expensive. In FY 1990 this program served 3,881 students at a total cost of $958 per student. The program's cost per successful student (students reaching specified goals) was $3,065 in FY 1990. This is considerably higher than the $111-per-student and the $375-per-successful-student costs associated with the ABE/GED program described above. One reason for the difference in per student cost for the two programs is the fact that ABE/GED funds generally are used by schools and colleges, which often absorb administrative costs associated with literacy instruction. JTPA services often are delivered by contractors who are not affiliated with schools and colleges. In addition, FY 1990 was the first year in which JTPA 8% funds were devoted solely to literacy instruction. For this reason, FY 1990 was the start-up year for a majority of JTPA-funded programs.

Three state agencies in Mississippi share responsibility for JTPA program administration. These include the Employment and Training Division of the Department of Economic and Community Development, the Office for Literacy within the Department of Finance and Administration and the JTPA Branch of the Department of Education's Industrial Services Division (Office of Vocational, Technical and Adult Education). The U. S. Department of Labor provides JTPA funding to the Employment and Training Division of the Department of Economic and Community Development, which directs the majority of JTPA funds to the Department of Education. (See Exhibit 32.) The Department of Education uses a portion of these funds for state administrative purposes, but distributes most of the Department's JTPA 8% funds to literacy service providers throughout the state. DECD's Employment and Training Division also directs funds to the Office for Literacy, where JTPA funds are used to pay a consultant ($91,000 in FY 1990 and $96,000 in FY 1991) and to pay the salaries of two Office for Literacy staff members.

In addition to providing funds to the Department of Education and the Office for Literacy, the Employment and Training Division of DECD also contracts for services with the Mississippi Employment Security Commission (MESC). Under a 1990 agreement, MESC certifies participants' JTPA eligibility and provides other services to JTPA participants. The Employment and Training Division paid MESC $106,238 for these services in FY 1990 and agreed to pay MESC $225,686 in FY 1991.

1986: Library Literacy Program

Since its inception in 1986, thirty-five local libraries in Mississippi have received funds through the federal Library Literacy Program. In FY 1986 the U. S. Congress began appropriating funds for the Library Literacy Program, authorized by Title VI of the Library Services and Construction Act. (See Exhibit 33.) Library literacy funds are used for training tutors and librarians, developing collections of print and nonprint material, public awareness activities and tutoring.

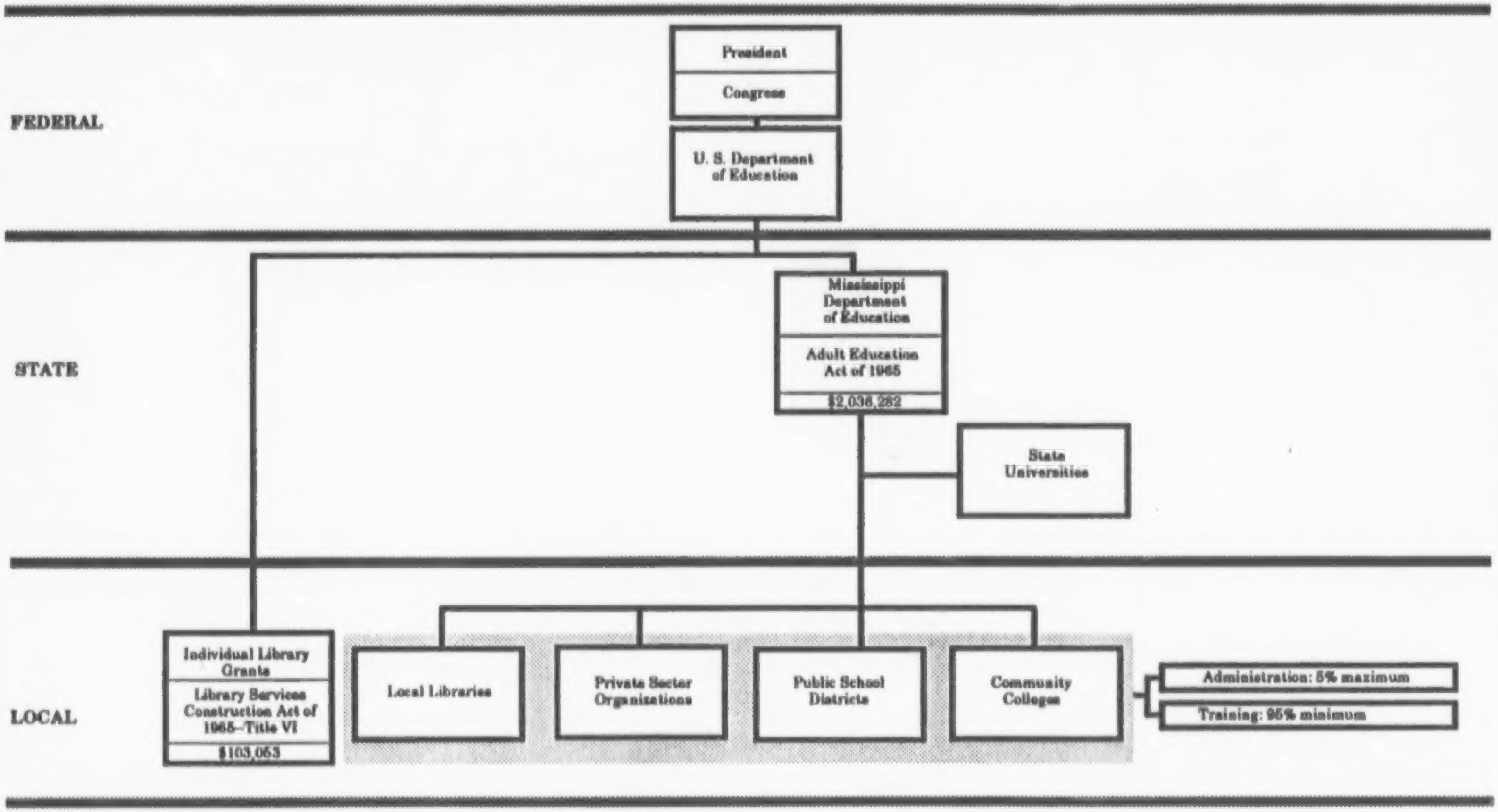
The U. S. Department of Education uses a competitive proposal process to award Library Literacy Program grants directly to selected local libraries. During FY 1990 nine Mississippi libraries received a total of $195,569 in Library Literacy grant funds. No state agency is involved in administering the library literacy program and no state or local match is required.

1988: Mississippi Literacy Foundation Programs

During 1988 the Governor's wife, Julie Mabus, organized the Mississippi Literacy Coalition for the purpose of examining the illiteracy problem in the state. This group included legislators, members of the business community, government agency heads and representatives of other interested groups. The coalition recommended the establishment of the Governor's Office of Literacy "in order to have a centralized office to coordinate the literacy efforts throughout Mississippi." The coalition then became a private, non-profit foundation known as the Mississippi Literacy Foundation. The purpose of the Foundation is "to increase awareness of the problem of illiteracy in the state, to provide funding for start-up and special projects of local literacy initiatives, and to acknowledge the triumphs of adult learners and the accomplishments of adult tutors." The Foundation is funded through donations from individuals and corporations.

EXHIBIT 33

FLOW OF MISSISSIPPI'S FY 1990 FEDERAL ADULT BASIC EDUCATION PROGRAM AND LIBRARY LITERACY PROGRAM EXPENDITURES


FEDERAL
President
Congress
U. S. Department of Education
STATE
Mississippi Department of Education
Adult Education Act of 1965
$2,036,282
State Universities
LOCAL
Individual Library Grants
Library Services Construction Act of 1965–Title VI
$103,053
Local Libraries
Private Sector Organizations
Public School Districts
Community Colleges
Administration: 5% maximum
Training: 95% minimum

SOURCE: Mississippi Department of Economic and Community Development and Mississippi Department of Education.

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1990: Literacy Projects Funded under the Federal Wagner-Peyser Act

Providing funds for public employment service offices is the primary purpose of the federal Wagner-Peyser Act. Under this Act, Mississippi received a total of $7,605,556 in FY 1990 and $7,885,778 in FY 1991. Ninety percent of the funds appropriated to the states under the Wagner-Peyser Act must be used for job search and placement activities, recruitment services for employers and other labor market activities. In Mississippi, the Employment Security Commission uses Wagner-Peyser funds to operate employment service offices across the state.

By federal law ten percent of the funds a state receives under the Wagner-Peyser Act are reserved for the Governor's use in providing services under a broad range of employment-related topics. In FY 1990 the Governor authorized the use of the full 10% discretionary amount for a literacy study through a contract with Mississippi State University. In FY 1991 the Governor used only a portion of the 10% available in Wagner-Peyser discretionary funds to support literacy services. The literacy program funded through FY 1991 Wagner-Peyser 10% funds is a $219,301 workplace literacy project aimed at helping employers provide literacy training for their employees. The Governor designated the remainder of the 10% discretionary funds for use in projects that were not directly related to the state's literacy efforts.

Two state agencies in Mississippi share responsibility for administering the workplace literacy program funded with Wagner-Peyser 10% funds. Under a September 1, 1990 agreement between the Mississippi Department of Finance and Administration and the Department of Education, the Department of Education was to receive $194,000 in Wagner-Peyser funds to develop a workplace literacy program. The Office for Literacy within the Department of Finance and Administration was to receive $25,000 from the same source to develop material to promote the program.

1991: JOBS Program Literacy Assessment and Referral Services

The Job Opportunities Basic Skills (JOBS) program, which began in Mississippi in October 1990, is one feature of the national welfare reform act. This federal program, which is administered in Mississippi by the Department of Human Services, assists recipients of public assistance, such as Aid to Families with Dependent Children, in preparing for employment through participation in basic skills and/or job training programs. Although the JOBS program itself does not provide literacy instruction, the program provides funding for basic skills assessment and referral to local literacy programs. During the FY 1991 the Mississippi Department of Human Services pilot tested the assessment and referral program in nine counties (Adams, Harrison, Hinds, Jackson, Lauderdale, Lee, Madison, Tunica and Quitman) at a cost of $196,500 in federal funds.

APPENDIX P

PROPOSED LEGISLATION REGARDING VOCATIONAL EDUCATION AND CREATION OF AN INTERNAL AUDIT AND EVALUATION UNIT

MISSISSIPPI LEGISLATURE REGULAR SESSION, 1992

BY:

BILL

AN ACT TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL BE THE MISSISSIPPI BOARD OF VOCATIONAL AND TECHNICAL EDUCATION; TO AMEND SECTION 37-3-25, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A VOCATIONAL EDUCATIONAL PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION OVERSEEN BY A SUBORDINATE EMPLOYEE OF THE SUPERINTENDENT OF EDUCATION; TO AMEND SECTIONS 37-31-1 AND 37-31-7, MISSISSIPPI CODE OF 1972, TO MAKE THE STATE BOARD OF COMMUNITY AND JUNIOR COLLEGES THE SINGLE STATE AGENCY FOR THE RECEIPT OF FEDERAL FUNDS FOR VOCATIONAL EDUCATION, AND TO REQUIRE THAT THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES CONTRACT WITH THE STATE BOARD OF EDUCATION FOR THE DELIVERY OF SECONDARY VOCATIONAL AND TECHNICAL EDUCATION SERVICES; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF 1972 IN CONFORMITY THERETO; TO AMEND SECTION 37-31-103, MISSISSIPPI CODE OF 1972, TO MAKE THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES RESPONSIBLE FOR CERTAIN ADULT SKILLS TRAINING; TO CREATE AN INTERNAL AUDIT AND EVALUATION UNIT OF THE STATE BOARD OF EDUCATION, AND DEFINE ITS DUTIES; TO AMEND SECTION 37-19-5, MISSISSIPPI CODE OF 1972, TO ALLOW FOR ONE FULL TEACHER UNIT TO BE ALLOTTED TO DISTRICTS FOR EVERY VOCATIONAL AND TECHNICAL EDUCATION TEACHER EMPLOYED; TO ALLOW FOR THE USE OF SPECIAL EDUCATION TEACHER UNIT FUNDS FOR HIRING OF SPECIAL EDUCATION TEACHER AIDES; TO PROVIDE THAT THE STATE BOARD OF COMMUNITY AND JUNIOR COLLEGES SHALL HAVE SPECIFIC DUTIES RELATIVE TO THE

RECEIPT OF APPROPRIATED FUNDS FOR COMMUNITY AND JUNIOR COLLEGE VOCATIONAL AND TECHNICAL EDUCATION, AND TO DEFINE SUCH DUTIES; TO AMEND SECTION 37-31-205, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTIONS 37-31-201 AND 211, MISSISSIPPI CODE OF 1972, TO ASSIGN CERTAIN DUTIES TO THE SUCCESSOR OF THE DIVISION OF VOCATIONAL AND TECHNICAL EDUCATION; TO AMEND SECTION 37-31-207, MISSISSIPPI CODE OF 1972, TO ESTABLISH CERTAIN ADDITIONAL DUTIES RELATIVE TO VOCATIONAL AND TECHNICAL EDUCATION ASSIGNED TO THE STATE BOARD OF COMMUNITY AND JUNIOR COLLEGES; TO AMEND SECTION 37-31-209, MISSISSIPPI CODE OF 1972, TO ALLOW THE STATE BOARD OF COMMUNITY AND JUNIOR COLLEGES TO RECEIVE ASSISTANCE FROM ADVISORY COUNCILS; TO AMEND SECTION 37-31-13, MISSISSIPPI CODE OF 1972 IN CONFORMITY THERETO; TO AMEND SECTIONS 37-31-61, 37-31-63, AND 37-31-65, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE DUTIES OF THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES AND THE STATE BOARD OF EDUCATION RELATIVE TO THE ESTABLISHMENT AND EQUIPPING OF VOCATIONAL AND TECHNICAL PROGRAMS; TO AMEND SECTIONS 37-31-71, 37-31-73, 37-31-75, AND 37-31-79, MISSISSIPPI CODE OF 1972 TO ESTABLISH THE DUTIES OF THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES AND THE STATE BOARD OF EDUCATION RELATIVE TO THE OPERATIONS AND EQUIPPING OF REGIONAL VOCATIONAL EDUCATION CENTERS; TO PROVIDE FOR THE CODIFICATION OF SECTIONS 1, 7, 9, and 10, OF THIS ACT; FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

Section 1. The State Board of Education shall be the Mississippi Board of Vocational and Technical Education. Any reference in law to the Mississippi Board of Vocational and Technical Education shall mean the State Board of Education. All powers, duties, responsibilities, and functions of the Mississippi Board of Vocational and Technical Education are hereby vested in the State Board of Education.

Section 2. Section 37-3-25, Mississippi Code of 1972, is amended as follows;

§ 37-3-25. Director of division of vocational and technical education; appointment; compensation; powers and duties.

program head

(1) The ~~director~~ of the ~~division of~~ vocational and technical education, ~~who shall be an associate state superintendent of education~~, shall be appointed by the ~~Mississippi Board of Vocational and Technical Education~~. He shall

State Superintendent of Education

program head's

serve at the will and pleasure of ~~the board~~. The ~~director's~~ salary shall be set by the ~~Mississippi Board of Vocational and Technical Education~~. His salary, compensation, travel expenses or other expenses shall be provided for out of any funds made available for such purpose by the legislature, the federal government, or other gifts or grants. The ~~director~~ shall be responsible to the board of vocational and technical education for the proper administration of the programs of vocational and technical education in conformity with the policies adopted by the ~~board~~ and shall be responsible for appointing any necessary supervisors, assistants, and employees to assist in carrying out the programs of vocational and technical education. The ~~director~~ shall have the authority to employ, compensate, terminate, promote, demote, transfer or reprimand employees of the division. The salary and compensation of such employees shall be subject to the rules and regulations adopted and promulgated by the state personnel board as created under section 25-9-101 et seq.

program head

State Board of Education

program head

(2) The ~~director of the division~~ of vocational and technical education shall have charge of and be responsible for secondary vocational and technical education training in:

(a) Agriculture;
(b) Occupational and consumer home economics;
(c) Consumer and homemaking education;
(d) Trades and industry;
(e) Distributive education;
(f) Adult education;
(g) Teacher training and supervision;
(h) Business and office;
(i) Health;
(j) Industrial arts;
(k) Guidance services;
(*l*) Technical education;
(m) Cooperative education;
(n) Customized industrial training; and
(o) All other specialized training not requiring a bachelors degree, with the exception of programs of nursing education regulated under the provisions of section 37-129-1.

SOURCES: Codes, 1942, § 6245-06; Laws, 1946, ch. 297, § 8; 1948, ch. 294, § 1; 1964, ch. 393; 1968, ch. 388, § 4; 1970, ch. 363, § 3; 1982, ch. 493, § 6, eff from and after July 1, 1982.

or not under the authority of any other state board or agency

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Section 3. Section 37-31-1, Mississippi Code of 1972, is amended as follows;

§ 37-31-1. Federal vocational education act accepted.

The State of Mississippi hereby accepts all the provisions and benefits of an act passed by the senate and house of representatives of the United States of America, in congress assembled, entitled: "An act to provide for the promotion of vocational education; to provide for co-operation with the state in the promotion of such education in agriculture, trades and industries, home economics and distributive education; to provide for co-operation with the states in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure," approved February 23, nineteen hundred seventeen, and known as the "~~Smith-Hughes~~ Act," and all subsequent federal vocational and Technical education acts.

SOURCES: Codes, 1930, § 6701; 1942, § 6487; Laws, 1924, ch. 283; 1930, ch. 278; 1940, ch. 178.

Carl Perkins

Section 4. Section 37-31-7, Mississippi Code of 1972, is amended as follows;

§ 37-31-7. ~~Authority of Mississippi Board of Vocational and Technical Education.~~

~~The Mississippi Board of Vocational and Technical Education~~ The State Board for Community and Junior Colleges shall have all necessary authority to cooperate with the federal board for vocational education in the administration of the "~~Smith-Hughes~~ Carl Perkins Act" and all subsequent federal vocational education and training acts, to administer any legislation pursuant thereto enacted by the State of Mississippi, and to administer the funds provided by the federal government and the State of Mississippi under the provisions of sections 37-31-1 to 37-31-15 for the promotion of vocational and technical education not terminating in a bachelors degree. It shall have full authority to formulate plans for the promotion of vocational and technical education in such subjects as are an essential and integral part of the public school system of education in the State of Mississippi, and to provide for the preparation of teachers of such subjects. It shall have authority to fix the compensation of such officials and assistants as may be necessary to administer the "~~Smith-Hughes~~ Act" and

Carl Perkins

sections 37-31-1 to 37-31-15 for the State of Mississippi and to pay such compensation and other necessary expenses of administration from funds appropriated under provisions of said sections. It shall have authority to make studies and investigations relating to vocational and technical education in such subjects; to publish the results of such investigations and to issue other publications as seem necessary by the board; to promote and aid in the establishment by local communities of schools, departments, or classes giving training in such subjects; to cooperate with local communities in the maintenance of such schools, department or classes; to prescribe qualifications for the teachers, directors and supervisors of such subjects, and to have full authority to provide for the certification of such teachers, directors, and supervisors; to cooperate in the maintenance of classes supported and controlled by the public for the preparation of teachers, directors, and supervisors of such subjects or to maintain such classes under its own direction and control; and to establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational and technical teachers.

SOURCES: Codes, 1930, § 6706; 1942, § 6491; Laws, 1924, ch. 283; 1930, ch. 278; 1940, ch. 176; 1962, ch. 483, § 10, eff from and after July 1, 1963 (See Editor's Note, below].

(2) With respect to secondary vocational and technical education, the State Board for Community and Junior Colleges shall contract with the State Board of Education for the purpose of providing secondary vocational and technical education authorized under this chapter, and for carrying out all administrative responsibilities relative to secondary vocational and technical education programs. The State Board for Community and Junior Colleges shall annually evaluate the performance of the State Board of Education, and shall determine how effectively the State Board of Education has administered its contractual obligations. The State Board for Community and Junior Colleges shall also review all criteria formulated by the State Board of Education to determine whether it has eliminated programs which no longer meet criteria for continuation.

Section 5. Section 37-31-103, Mississippi Code of 1972, is amended as follows;

State Board for Community and Junior Colleges

§ 37-31-103. Development, establishment and administration of programs; advisory committees.

(1) The ~~Mississippi Board of Vocational and Technical Education~~ is authorized to develop and establish special education and skill training programs to fill specific employment opportunities in areas of the state that have both employment opportunities and able-bodied unemployed and underemployed groups of adults, with priority to be given to unemployed adults.

State Board for Community and Junior Colleges

This program shall be administered by the ~~division of vocational and technical education~~ in junior colleges and secondary school systems wher-

ever practical, and shall have general supervision over the programs established by sections 37-31-101 through 37-31-111. Programs shall parallel, complement and be compatible with the existing structure of all vocational-technical education, both state and federal, as operated under the board.

(2) A comprehensive program of educational activity including skill training shall be developed and tailored to meet the needs of each individual student and the needs of industry for specially trained workers, and programs shall be planned and operated flexibly in order that students may progress individually.

Specific employment objectives that are practical for each student shall be identified early in the program and the individual trained accordingly.

Programs may include, when needed for employment purposes, but not be limited to, basic education, remedial education, attitude training, employability and communications skills, prevocational, vocational and technical education, and supplementary and related instruction for on-the-job training whether conducted at the job site or elsewhere.

(3) Local craft advisory committees made up of potential employers shall be established to advise on the validity of the training curriculum being offered.

(4) Programs shall be developed on a project basis, with all projects considered temporary, and renewed only as long as the dual needs of qualified students exist and potential job opportunities can be identified. Each project shall consist of a minimum of: (a) statement of need, (b) occupational training plan, (c) budget, and (d) budget backup information.

(5) Full-time (forty (40) hours per week), part-time, and upgrading programs are authorized, and all programs as conducted by local school districts shall meet or exceed the standards of the board, and failure to do so by a school district shall result in loss of funds as provided in sections 37-31-101 through 37-31-111.

(6) Utilization shall be made of existing equipment, materials and facilities purchased by previous programs such as the Manpower Development and Training Program, Public Law 87-415, 42 USCA 2571, et seq., whenever practical and legal.

(7) The board shall review local public school and junior college project proposals to determine appropriateness of content, length of training, hours of instruction per week, and whether estimated costs are realistic, and shall evaluate, monitor and provide needed services in support of the local projects.

(8) The board shall be responsible for state level development and coordination of a vocational and technical program which shall include but not be limited to the following: A program which will provide immediate training for established industries and which provides training for prospective employees for new and expanding industry, such program to be characterized with a strong emphasis on the employment needs of the state.

SOURCES: Laws, 1974, ch. 480, § 2; 1980, ch. 377; 1982, ch. 493, § 18, eff from and after July 1, 1983 (See Editor's Note, below).

Section 6. Section 37-4- 3, Mississippi Code of 1972, is amended as follows;

§ 37–4–3. Establishment of board; membership, officers, and compensation; powers and duties.

(1) From and after July 1, 1986, there shall be a State Board for Community and Junior Colleges which shall receive and distribute funds appropriated by the Legislature for the use of the public community and junior colleges and funds from federal and other sources that are transmitted through the state governmental organization for use by said colleges. This board shall provide general coordination of the public community and junior colleges, assemble reports and such other duties as may be prescribed by law.

(2) The board shall consist of ten (10) members of which none shall be an elected official and none shall be engaged in the educational profession. The Governor shall appoint two (2) members from the First Mississippi Congressional District, one (1) who shall serve an initial term of two (2) years and one (1) who shall serve an initial term of five (5) years; two (2) members from the Second Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of three (3) years; and two (2) members from the Third Mississippi Congressional District, one (1) who shall serve an initial term of four (4) years and one (1) who shall serve an initial term of two (2) years; two (2) members from the Fourth Mississippi Congressional District, one (1) who shall serve an initial term of three (3) years and one (1) who shall serve an initial term of four (4) years; and two (2) members from the Fifth Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of two (2) years. All subsequent appointments shall be for a term of six (6) years and continue until their successors are appointed and qualify. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. No two (2) appointees shall reside in the same junior college district. All members shall be appointed with the advice and consent of the Senate.*(See Editor's Note) from the Fourth Mississippi Congressional District, who shall serve an initial term of five (5) years. All subsequent appointments shall be for a term of six (6) years and continue until their successors are appointed and qualify. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. All members shall be appointed with the advice and consent of the Senate.*

(3) There shall be a chairman and vice chairman of the board, elected by and from the membership of the board; and the chairman shall be the presiding officer of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business.

(4) The members of the board shall receive no annual salary, but shall receive per diem compensation as authorized by Section 25-3-69, Mississippi Code of 1972, for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41, Mississippi Code of 1972.

(5) The board shall name a director for the state system of public junior and community colleges, who shall serve at the pleasure of the board. Such director shall be the chief executive officer of the board, give direction to the board staff, carry out the policies set forth by the board, and work with the presidents of the several community and junior colleges to assist them in carrying out the mandates of the several boards of trustees and in functioning within the state system and policies established by the State Board for Community and Junior Colleges. The State Board for Community and Junior Colleges shall set the salary of the Director of the State System of Community and Junior Colleges. The Legislature shall provide adequate funds for the State Board for Community and Junior Colleges, its activities and its staff.

(6) The powers and duties of the State Board for Community and Junior Colleges shall be:

(a) To authorize disbursements of state appropriated funds to community and junior colleges through orders in the minutes of the board.

(b) To make studies of the needs of the state as they relate to the mission of the community and junior colleges.

(c) To approve new, changes to and deletions of vocational and technical programs to the various colleges.

(d) To require community and junior colleges to supply such information as the board may request and compile, publish and make available such reports based thereon as the board may deem advisable.

(e) To approve proposed new attendance centers (campus locations) as the local boards of trustees should determine to be in the best interest of the district. Provided, however, that no new community/junior college branch campus shall be approved without an authorizing act of the Legislature.

(f) To serve as the state approving agency for federal funds for proposed contracts to borrow money for the purpose of acquiring land, erecting, repairing, etc. dormitories, dwellings or apartments for students and/or faculty, such loans to be paid from revenue produced by such facilities as requested by local boards of trustees.

(g) To approve applications from community and junior colleges for state funds for vocational-technical education facilities.

(h) To approve any university branch campus offering lower undergraduate level courses for credit.

(i) To appoint members to the Post-Secondary Educational Assistance Board.

(j) To appoint members to the Authority for Educational Television.

(k) To contract with other boards, commissions, governmental entities, foundations, corporations or individuals for programs, services, grants and awards when such are needed for the operation and development of the state public community and junior college system.

(l) To fix standards for community and junior colleges to qualify for appropriations, and qualifications for community and junior college teachers.

~~(m) To have sign-off approval on the State Plan for Vocational Education which is developed in cooperation with appropriate units of the State Department of Education.~~

(m) ~~(n)~~ To approve or disapprove of any proposed inclusion within municipal corporate limits of state-owned buildings and grounds of any community college or junior college and to approve or disapprove of land use development, zoning requirements, building codes and delivery of governmental services applicable to state-owned buildings and grounds of any community college or junior college. Any agreement by a local board of trustees of a community college or junior college to annexation of state-owned property or other conditions described in this paragraph shall be void unless approved by the board and by the board of supervisors of the county in which the state-owned property is located.

SOURCES: Laws, 1986, ch. 434, § 2; 1988, ch. 461, eff from and after passage (approved Aprial 27, 1988).

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(n) To administer funds and programs defined under Sections 37-31-1 through 37-31-15, Mississippi Code of 1972.

(o) To carry out the purposes of Section 10 of this act.

Section 7. (1) There is hereby created directly subordinate to the State Board of Education, the Internal Audit and Evaluation Unit of the State Board of Education. The unit shall be headed by a person selected by the State Board of Education who shall report to the Board of Education. The head of the unit shall be responsible for hiring and supervising any and all staff hired with funds made available by the Legislature. All staff of the Internal Audit and Evaluation Unit, including the person heading the unit, shall be members of the "state service" as defined by Section 25-9-107.

(2) The Internal Audit and Evaluation Unit shall be responsible for:

(a) Reviewing the efficiency and effectiveness of educational programs of the State Department of Education, and local school districts,

(b) Auditing the disbursement of any funds by the State Department of Education to any school district, contractor, or other entity,

(c) Conducting internal audits and reviews of the State Department of Education.

Section 8. Section 37-19-5, Mississippi Code of 1972, is amended as follows;

§ 37–19–5. Determination of teacher units.

(1) The total number of teachers included in the program for each school district shall not be in excess of the number of teachers employed or the number of teacher units allowed, whichever number is smaller. The number of teacher units shall be determined by the State Department of Education for each school district for the current year as follows: For kindergarten and Grades 1, 2, 3 and 4, one (1) teacher unit shall be allotted for each twenty-four (24) pupils in average daily attendance for the prior school year or for months two (2) and three (3) of the current year, whichever is greater, and for all other grades, one (1) teacher unit shall be allotted for each twenty-seven (27) pupils in average daily attendance for the prior school year or for months two (2) and three (3) of the current year, whichever is greater. A remaining major fraction of a unit shall be counted as a whole unit. It shall be the duty of the State Department of Education to determine that each school district actually has employed in kindergarten and Grades 1, 2, 3 and 4 a number of teachers which shall not be fewer than the earned units calculated in accordance with this subsection and, to that end, the State Department of Education is empowered to make regulations not inconsistent with this chapter which are reasonably necessary to implement and assure its compliance. No teacher may be included in such number of teachers unless he spends not less than seventy-five percent (75%) of his working time in actual classroom instruction in kindergarten and Grades 1, 2, 3 and 4, and the State Department of Education shall require the school district to certify, under oath of a person informed of such matters, and authorized by the school district governing authority to do so, that only such teachers have been so included in that number. If a school district employs more teachers than the teacher units allotted, the State Department of Education shall use the teachers of highest training and number of years experience in determining the allotment for salaries. It is the intent of the Legislature that the additional teachers provided herein for kindergarten and Grades 1, 2, 3 and 4 shall be utilized exclusively in kindergarten and in said grades, and that such classes shall not exceed a maximum number of twenty-seven (27) students in enrollment at any time during the school term unless exempted under rules and regulations promulgated by the State Board of Education providing for hardship, emergency or other special situations. Provided that any such exemption shall be certified by the local board of education to the State Department of Education with each monthly average daily attendance report.

One (1)

(2) ~~One-half (½) of a~~ teacher unit shall be added to the teacher unit allotment for each school district for each vocational teacher employed full time during the regular school term in a vocational education program approved by the State Department of Education. For each teacher employed in a vocational program less than full time, the additional ~~one-half (½)~~ teacher unit shall be prorated by the percentage of time spent in the vocational program. Minimum program funds will be allotted based on the type of certificate and number of years teaching experience held by each approved vocational teacher.

One

(3) One (1) additional teacher unit shall be added to the teacher unit allotment for each school district for each teacher employed in a State Department of Education approved program for exceptional children as defined in Section 37-23-3, Mississippi Code of 1972, except that only seventy percent (70%) of a teacher unit will be approved for the program for three- and four-year-old exceptional children. Provided, however, notwithstanding the calculation of teacher units as defined in subsection (1) above, exceptional children enrolled in a self-contained class, as defined by the State Department of Education, shall not be counted in average daily attendance when determining the regular teacher unit allocation. Minimum program funds will be allotted based on the type of certificate and the number of years teaching experience held by each approved exceptional education teacher.

(4) In addition to the allowances provided above, for each handicapped child who is being educated by a public school district and whose individualized educational program (IEP) requires an extended school year in accord with the State Department of Education criteria, a sufficient amount of minimum program funds shall be allocated to the school district for the purpose of providing the educational services the student requires. The State Board of Education shall promulgate such regulations as are required to insure the equitable distribution of these funds. All costs for the extended school year for a particular summer shall be reimbursed from minimum program funds appropriated for the fiscal year beginning July 1 of that summer. If sufficient funds are not made available to finance all of the required educational services, the State Department of Education shall expend available funds in such a manner that it does not limit the availability of appropriate education to handicapped students more severely than it does to nonhandicapped students.

(5) The State Department of Education is hereby authorized to match minimum program funds allocated for provision of services to handicapped children with Division of Medicaid funds to provide language-speech services, physical therapy and occupational therapy to handicapped students who meet State Department of Education or Division of Medicaid standards and who are Medicaid eligible. Provided further, that the State Department of Education is authorized to pay such minimum program funds as may be required as a match directly to the Division of Medicaid pursuant to an agreement to be developed between the State Department of Education and the Division of Medicaid.

(6) In the event of an inordinately large number of absentees in any school district as a result of epidemic, natural disaster, or any concerted activity discouraging school attendance, then in such event school attendance for the purposes of determining teacher units shall be based upon the average daily attendance for the three (3) preceding school years for such school district.

SOURCES: Laws, 1991, ch. 415, § 3; 1991, ch. 534, § 4, eff from and after July 1, 1991.

Section 9. A school district may use funds made available to it for one (1) special education teacher unit, to hire two (2) or more special education teacher aides.

Section 10 (1) The State Board for Community and Junior Colleges shall be responsible for administering all programs for vocational education specifically related to post-secondary vocational education except as otherwise provided for by law. In accordance with this, the state Board of Community and Junior Colleges shall be responsible for:

(a) Planning programs of vocational and technical education,

(b) Channeling funds to the Community and Junior Colleges for such programs,

(c) Allocating funds on an annual budgetary basis,

(d) Setting standards for vocational education at the junior and community colleges, which receive state and federal funds,

(e) Setting and publishing standards for post-secondary vocational and technical educational personnel,

(f) Requiring data and information on program performance on those programs receiving state funds,

(g) Expending funds for career education,

(h) Promulgating such rules and regulations as necessary to carry out the purposes of this section,

(i) Setting standards and approve all vocational and technical education equipment and facilities purchased and/or leased with state and federal funds,

(j) Encouraging provisions for lifelong learning and changing personal career choices and advancement of vocational and technical education students through articulated programs within junior colleges,

(k) Encouraging the establishment of new linkages with businesses and industry which will provide for a better understanding of essential labor market concepts,

(l) Assisting in the development of high technology programs and resource centers to support current and projected industrial needs,

(m) Assisting in the development of a technical assistance program for business and industry which will provide for industrial training and services including the transfer of information relative to new applications and advancements in technology,

(n) Entering into agreements and contracts with the State Board of Education regarding the terms and conditions under which the State Board of Education shall receive federal funds for vocational and technical education,

(o) Establishing when necessary advisory bodies.

(2) The Legislature shall appropriate to the State Board for Community and Junior Colleges those state funds to be used for vocational and technical education by the Community and Junior colleges.

(3) The State Board for Community and Junior Colleges shall also be responsible for insuring that all plans, procedures, and documents necessary to satisfy federal vocational and technical education funding requirements are developed by its own staff or that of the State Department of Education. To the extent necessary, the State Board of Community and Junior Colleges shall have the power to require the State Board of Education to prepare or devise any plan, procedure, or document necessary to comply with any requirements for federal vocational and technical education funding and may, to the extent necessary, withhold federal funds to the State Department of Education until compliance is achieved.

(4) The State Board for Community and Junior Colleges shall have the power to promulgate any rules and regulations necessary to carry out the purposes of this section.

(5) The State Board for Community and Junior Colleges shall notify Community and Junior Colleges by March 1, annually, of the discontinuation of ongoing vocational programs which would affect the renewing of contracts with vocational personnel.

Section 11. Section 37-31-201, Mississippi Code of 1972, is amended as follows;

§ 37-31-201. Definitions.

Wherever used in this chapter, or in any other statute, rule or regulation affecting the vocational education ~~division~~ of the state department of education and any of its functions or duties: program

(a) The word "board" shall mean and refer to the ~~Mississippi Board of Vocational and Technical Education~~. State Board of Education

(b) The word "division" shall mean and refer to the Mississippi Division of Vocational and Technical Education of the state department of education. or its successor

SOURCES: Laws, 1982, ch. 493, § 1, eff from and after July 1, 1983 (See Editor's Note, below).

Section 12. Section 37-31-205, Mississippi Code of 1972, is amended as follows;

§ 37–31–205. Authority of board.

State Board of Education

(1) The ~~Mississippi Board of Vocational and Technical Education~~ shall have the authority to:

(a) Expend funds received either by appropriation or directly from federal or private sources;

(b) Channel funds to secondary schools, ~~junior colleges~~ and regional vocational-technical facilities according to priorities set by the board;

(c) Allocate funds on an annual budgetary basis;

(d) Set standards for and approve all vocational and technical education programs in the public school system ~~and junior colleges~~ or other agencies or institutions which receive state funds ~~and federal funds~~ from this agency for such purposes, including, but not limited to, the following vocational and technical education programs: agriculture, trade and industry, occupational home economics, consumer and homemaking education, distributive education, business and office, health, industrial arts, guidance services, technical education, cooperative education, customized industrial training, all other specialized training not requiring a bachelors degree, with the exception of programs of nursing education regulated under the provisions of Section 37-129-1, Mississippi Code of 1972;

(e) Set and publish certification standards for secondary vocational and technical education personnel;

(f) Require data and information on program performance from those programs receiving state funds;

(g) Expend funds to expand career information;

(h) Supervise and maintain the ~~Mississippi Division~~ Program of Vocational and Technical Education and to utilize to the greatest extent possible said division or its successor as the administrative unit of the board responsible for coordinating programs and services with local institutions;

(i) Promulgate such rules and regulations necessary to carry out the provisions of this chapter in accordance with Section 25-43-1 et seq.;

(j) Set standards and approve all secondary vocational and technical education equipment and facilities purchased and/or leased with state and federal vocational funds;

(k) Encourage provisions for lifelong learning and changing personal career preferences and advancement of vocational and technical education students through articulated programs ~~between~~ high schools ~~and junior colleges~~;

within

(*l*) Encourage the establishment of new linkages with business and industry which will provide for a better understanding of essential labor market concepts;

(m) Periodically review the funding and reporting processes required of local school districts by the board or division with the aim of simplifying or eliminating inefficient practices and procedures;

(n) Assist in the development of high technology programs and resource centers to support current and projected industrial needs; and

(o) Assist in the development of a technical assistance program for business and industry which will provide for industrial training and services, including the transfer of information relative to new applications and advancements in technology.

(p) Enter into contracts and agreements with the State Board for Community and Junior Colleges for conditions under which vocational and technical education programs in ~~junior colleges~~ shall receive ~~state and~~ federal funds which flow through the ~~Mississippi Board for Vocational and Technical Education~~ for such purposes.

Secondary schools

State Board for Community and Junior Colleges

(q) The State Board of Education shall notify the school districts by March 1, annually, of the discontinuation of ongoing vocational programs which would affect the renewing of contracts with vocational personnel.

(2) It is the intent of the Legislature that no vocational and technical education course or program existing on June 30, 1982, shall be eliminated by the ~~Mississippi Board of Vocational and Technical Education~~ under the authority vested in paragraph (d) of subsection (1) of this section prior to June 30, 1985. It is further the intent of the Legislature that no vocational and technical education teacher or other personnel employed on June 30, 1983, shall be discharged due to certification standards promulgated by the board under paragraph (e) of subsection (1) of this section, if any such teacher or personnel shall have complied with any newly published certification standards by June 30, 1985. Nothing contained in this section shall be construed to abrogate or affect in any manner the authority of local public school districts or junior colleges to eliminate vocational and technical education courses or programs or to discharge any vocational and technical education teacher or other personnel.

State Board of Education

SOURCES: Laws, 1982, ch. 493, § 3; 1986, ch. 434, § 13, eff from and after July 1, 1986 (became law on April 4, 1986, without Governor's signature) (See Editor's Note, below).

Section 13. Section 37-31-207, Mississippi Code of 1972, is amended as follows;

§ 37-31-207. Duties of board. State Board for Community and Junior Colleges

~~The Mississippi Board of Vocational and Technical Education~~ shall have the following duties:

(a) To seek the best available projections of employment and occupations for Mississippians;

(b) To utilize these projections and other considerations to set vocational and technical education priorities;

(c) To utilize the services of all state agencies having information regarding the purposes of this chapter;

(d) To cooperate with the governor's office of job development and training and the board of economic development to prevent duplication and provide continuity of employment and training services;

(e) To conduct evaluations of the success or failure of vocational-technical programs, including the extent to which training actually leads to jobs in the field in which the student was trained;

(f) Obtain and publish data and information on program performance from those vocational-technical programs receiving state funds; and

~~(g) To notify local school districts and public junior colleges prior to March 1 annually of any discontinuation of ongoing vocational programs which would affect the renewing of contracts with vocational personnel.~~

SOURCES: Laws, 1982, ch. 493, § 4, eff from and after July 1, 1983 (See Editor's Note, below).

Section 14. Section 37-31-211, Mississippi Code of 1972, is amended as follows;

§ 37-31-211. Appropriations for vocational and technical education to be made to board.

State Board of Education

The legislature shall appropriate to the ~~Mississippi Board of Vocational and Technical Education~~ those state funds to be expended by the board through the division of vocational and technical education of the state department of education. or its successor

SOURCES: En, Laws, 1982, ch. 493, § 17, eff from and after July 1, 1983 (See Editor's Note, below).

Section 15. Section 37-31-209, Mississippi Code of 1972, is amended as follows;

§ 37-31-209. Membership, powers and duties of advisory councils.

(1) Any advisory council, other than the special management advisory board, ~~serving the Board~~ shall include five (5) members who are presidents of public junior colleges located in the State of Mississippi, and three (3) members who are superintendents of education of a countywide, municipal separate or consolidated school district.

State
Board
for
Community
and
Junior
Colleges

(2) In addition to any other requirements of law, it is made the duty of the advisory council and it is hereby granted the authority to:

(a) Advise ~~the Mississippi Board of Vocational and Technical Education~~ in the development of comprehensive policies and programs for the improvement of vocational-technical education in the state;

(b) Assist in the formulation of rules, regulations and standards relating to vocational-technical education programs by submitting written recommendations prior to their adoption and promulgation by the board; and (P:1)(c) Assist in the promotion of public understanding of the purposes, policies and practices regarding vocational-technical education in this state.

(3) The additional members of the advisory council may meet with the ~~board~~ in a nonvoting capacity at regular meetings ~~of the board~~ when the ~~board~~ is not in executive session.

(4) The additional members required by this section sahll be reimbursed for their expenses in the same manner and from the same source as other members.

SOURCES: Laws, 1982, ch. 493, § 5, eff from and after July 1, 1983 (See Editor's Note, below).

Section 16. Section 37-31-13, Mississippi Code of 1972, is amended as follows;

State Board for Community and Junior Colleges and its contractor the State Board of Education

§ 37–31–13. How state appropriations shall be used.

Any appropriation that may be made under the provisions of sections 37–31–1 to 37–31–15, shall be used by ~~the board~~ for the promotion of vocational education as provided for in the "~~Smith-Hughes~~ Act" and for the purpose set forth in sections 37–31–1 to 37–31–15. The state appropriation shall not be used to reimburse high schools which are now receiving other state funds, except in lieu of not more than one-half (½) the amount that may be due such high schools from federal funds. Only such portion of the state appropriation shall be used as may be absolutely necessary to carry out the provisions of sections 37–31–1 to 37–31–15, and to meet the federal requirements. Provided that the state appropriation shall not be used to reimburse high schools which do not conduct structured programs of vocational agriculture for twelve (12) months per year. Provided further, that said reimbursement shall only be available to those high schools whose teachers of vocational agriculture are responsible for the following programs of instruction during those months between the academic years: (a) supervision and instruction of students in agricultural experience programs; (b) group and individual instruction of farmers and agribusinessmen; (c) supervision of student members of "Future Farmers of America" who are involved in leadership training or other activity required by state or federal law; or (d) any program of vocational agriculture established by the division of vocational and technical education of the state department of education.

Carl Perkins

SOURCES: Codes, 1930, § 6709; 1942, § 6495; Laws, 1924, ch. 283; 1930, ch. 278; 1978, ch. 345, § 1; 1982, ch. 493, § 11, eff from and after July 1, 1983.

Section 17. Section 37-31-61, Mississippi Code of 1972, is amended as follows;

§ 37-31-61. Board authorized to establish and conduct vocational and technical schools, classes or courses.

State Board of Education and the State Board for Community and Junior Colleges are,

The ~~Mississippi Board of Vocational and Technical Education is~~ hereby authorized and empowered to establish and conduct schools, classes or courses, for preparing, equipping and training citizens of the State of Mississippi for employment in gainful vocational and technical occupations which do not terminate in a bachelors degree, in conjunction with any public school, agricultural high school or junior college.

consistent with the respon-sibilities of each board

The trustees of such school community districts, as classified and defined by law, including those already having this authority, and the trustees of agricultural high schools and junior colleges may, with the consent in writing of the ~~Mississippi Board of Vocational and Technical Education~~, establish and conduct such schools, classes or courses, under the provisions herein stated and under the general supervision of ~~the~~ such board.

SOURCES: Codes, 1942, § 6241; Laws, 1940, ch. 186; 1982, ch. 493, § 13, eff from and after July 1, 1983 (See Editor's Note, below].

Section 18. Section 37-31-63, Mississippi Code of 1972, is amended as follows:

§ 37-31-63. General powers of those establishing vocational and technical schools, classes or courses.

The ~~Mississippi Board of Vocational and Technical Education~~, the trustees of the school districts as classified and defined by law, and the trustees of agricultural high schools ~~or~~ junior colleges, are hereby authorized and empowered to accept and use any land, building or buildings, being either the property of the State of Mississippi or of any of the school districts or agricultural high schools or junior colleges, or being the property of private sources, which may be designated, donated or leased for the purpose expressed in section 37-31-61, and to use such funds as may be made available, and to accept donations and contributions for supplies, equipment, and materials incident to the purpose for which any such schools, classes or courses are established.

community

~~The~~ board, the trustees of the school districts, as classified and defined by law, and the trustees of agricultural high schools or junior colleges, are hereby authorized and empowered to accept and receive donations, contributions and endowments, to charge tuition and registration fees, to receive payment for services rendered or commodities produced incident to training in said schools, courses or classes, and to accept any funds which may be made available for the purpose sought to be accomplished in section 37-31-61 from any sources.

Such

SOURCES: Codes, 1942, §§ 6242, 6243; Laws, 1940, ch. 186; 1982, ch. 493, § 14, eff from and after July 1, 1983 (See Editor's Note, below).

Section 19. Section 37-31-65, Mississippi Code of 1972, is amended as follows;

§ 37-31-65. Funds.

community

The funds derived from any sources for any trade school, such as the Mississippi School for the Deaf, Mississippi School for the Blind, Oakley Training School or Parchman Vocational School or other agencies or institutions receiving funds for the purposes of this chapter, which are not operated in connection with any public school, agricultural high school or junior college, or by virtue of any tuition, registration fees, or payment for services rendered or commodities produced, shall be the property of the ~~Mississippi Board of Vocational and Technical Education~~. In the event any public school, agricultural high school or junior college establishes any trade school, classes or courses under section 37-31-61, such funds shall be the property of such public school, agricultural high school or junior college, to be expended by the trustees thereof, and shall be expended solely for the expense of operating and conducting the trade school, classes or courses in connection with such public school, agricultural high school or junior college. None of such funds shall be commingled with the funds of any other of such schools, and none of such funds shall be commingled with any of the other funds of any of the public schools, agricultural high schools or junior colleges. All of such funds so created shall be and are hereby declared to be public funds, as defined by law.

State Board of Education or the State Board for Community and Junior Colleges by mutual agreement

community

SOURCES: Codes, 1942, § 6242; Laws, 1940, ch. 186; 1962, ch. 493, § 15, eff from and after July 1, 1963 (See Editor's Note, below).

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Section 20. Section 37-31-71, Mississippi Code of 1972, is amended as follows;

§ 37–31–71. "Regional vocational education center" defined.

For the purposes of sections 37–31–71 to 37–31–79, the term "regional vocational education center" shall mean all facilities utilized for the carrying out of instruction in vocational or technical education on the level of secondary or post-secondary education or both which are jointly operated by or which accept students on a contractual basis from two or more school districts of this state, or for any school district which encompasses an entire county.,

SOURCES: Codes, 1942, § 6502-1; Laws, 1972, ch. 337, § 1, eff from and after passage (approved April 13, 1972).

Any transfer of secondary or post secondary facilities for such purposes shall not occur without the approval of the State Board of Education or the State Board for Community and Junior Colleges.

Section 21. Section 37-31-73, Mississippi Code of 1972, is amended as follows;

§ 37–31–73. Agreements for establishment of center; board of trustees.

The various school districts, counties, municipalities, and junior college districts of this state are hereby authorized to enter into agreements between such school districts and between such school districts and any of the boards of supervisors of any county, the governing authorities of any municipality, or the boards of trustees of any junior college district providing for the construction or operation of regional vocational education centers. Any such agreement shall be subject to the approval of the ~~Mississippi Board of Vocational and Technical Education~~, and, in case a consolidated school district is a party thereto, to the approval of the county board of education of the county or counties in which any such consolidated school district is located. Any such agreement may, among other provisions, provide for the method of financing the construction and operation of such facilities, the matter in which such facilities are to be controlled, operated

Community

State Board of Education or the State Board for Community and Junior Colleges

Section 22. Section 37-31-75, Mississippi Code of 1972, is amended as follows;

and staffed, and the basis upon which students are to be admitted thereto and transportation provided for students in attendance therein. Any such agreement or any subsequent modification thereof shall be spread at large upon the minutes of each party thereto after having been duly adopted by the governing authorities of each party.

Such agreements may provide for the establishment of boards of trustees of such regional vocational education centers to be made up of representatives of the boards of trustees of school districts or junior college districts which may be parties thereto. Said boards of trustees of the parties to such agreement may delegate any and all powers of said trustees as may be necessary or desirable for the operation of any such regional vocational education center to the board of trustees of any such center so created, except for the power to request or require the levy of taxes or the power to issue or require the issuance of any bonds, notes or other evidences of indebtedness, or to call for an election on the question of the issuance thereof.

community

SOURCES: Codes, 1942, § 6502-02; Laws, 1972, ch. 337, § 2; 1982, ch. 493, § 16, eff from and after July 1, 1983 (See Editor's Note, below).

Title to any such jointly owned facility, property or equipment shall not be changed without the consent of both local school district and the board of trustees of the community / junior college district

Section 23. Section 37-31-79, Mississippi Code of 1972, is amended as follows;

§ 37-31-79. Construction.

Sections 37-31-71 to 37-31-79 shall be liberally construed to effectuate the provisions thereof and are hereby declared to be severable. Such sections are supplemental to the authority provided in sections 37-7-401 through 37-7-413 and other applicable statutes, and any agreement entered into pursuant to sections 37-31-71 to 37-31-79 shall likewise be effective to confer on the contracting parties all powers contained in the sections 37-7-401 through 37-7-413 provided such agreement is also approved by the state ~~educational finance commission~~ in accordance therewith.

for
secondary
schools

SOURCES: Codes, 1942, § 6502-05; Laws, 1972, ch. 337, § 5, eff from and after passage (approved April 13, 1972).

State Board of Education

Section 24. It is the intention of the Legislature that Section 1 of this act be codified in Title 37, Chapter 31, Mississippi Code of 1972; that Section 7 of this act be codified in Title 37, Chapter 3, Mississippi Code of 1972; and that Section 9 of this act be codified in Title 37, Chapter 19, Mississippi Code of 1972; and that Section 10 of this act be codified as Section 37-31-213.

Section 25. This act shall take effect and be in force from and after July 1, 1992.

GLOSSARY

Accreditation: The act of accrediting or the state of being accredited, esp. the granting of approval to an institution of learning by an official review board after the school has met specific requirements.

Basic Skills: Specific learning objectives which represent the most fundamental knowledge in the areas of reading, language arts, and mathematics which are tested through the Basic Skills Assessment Program.

Benchmark: A standard by which something can be measured or judged.

Compulsory Standards: Standards which are specified in state or federal law

Criterion: A standard, rule, or test on which a judgement or decision can be based.

Deaf/Blind: A child who has a combination of auditory and visual handicaps which cause such severe communication and other developmental and educational problems that the child cannot properly function in special education programs for the hearing or visually impaired.

Disabled: Those student evaluated in accordance with federal regulations as being specific learning disabled, language/speech impaired, educationally handicapped, emotionally handicapped, hearing impaired, physically handicapped, visually impaired, multi-handicapped, or deaf-blind who because of those impairments need special education and related services.

Developmentally Delayed: A noncategorical exceptionality in which children ages three through five have been identified as having a handicapping condition which is described according to functional and/or developmental levels. Children included in this population either have established delays in two or more of the following areas: cognitive, fine and/or gross motor skills, language, or social; or a diagnosed medical condition or disorder of known etiology which will affect development in a negative fashion and has a high probability of resulting in a developmental delay.

Educationally Handicapped: Children having significantly subaverage intelligence existing concurrently with deficits in adaptive behavior and in academic functioning or performance. Educationally handicapped children may be classified as Educable Mentally Retarded, Trainable Mentally Retarded, or Severely/Profoundly Retarded.

Effectiveness: This is a measure of an organization's degree of attainment of its mission.

Efficiency: This measure of the degree to which an organization maximizes output with a given input (resources).

Emotionally Handicapped: A child who is seriously emotionally handicapped exhibits some of the following characteristics over a long period of time and to a marked degree, and these characteristics adversely affect educational performance:

- an inability to learn which cannot be explained by intellectual, sensory, or health factors;
- an inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers;
- inappropriate types of behavior or feelings under normal circumstances; and,
- a general pervasive mood of unhappiness or depression and/or tendency to develop physical symptoms or fears associated with personal or school problems.

Enrichment Program: An academic course with defined objectives, evaluation criteria, and mastery requirements which exposes students to material or instruction that would not otherwise be part of a student's curriculum during the normal sequence of his or her educational experiences.

Function: The major classes of duties, roles, or actions used by an organization to delineate areas of responsibility and programming (e.g., administration, education, research).

Gifted: Children and youth who are found to have an exceptionally high degree of intellect and/or academic ability, defined as follows:

> ***Academically Gifted***—children who are found to have an exceptionally high degree of academic ability with programs for instruction within grades nine through twelve of the public secondary schools.
>
> ***Intellectually Gifted***--children who are found to have exceptionally high degree of intellect with programs for instruction within grades two through twelve.
>
> ***Gifted in the Visual and Performing Arts***--Effective with the 1992-93 school year, this gifted student category will no longer exist in Mississippi. It included those students identified as having

exceptional abilities in the visual (i.e., painting, sculpture) or performing (i.e., music, dance, drama) arts.

Goal: A broad, attainable and realistic aim of an organization which is not confined to a single fiscal year, and which is wholly dependent on achievement of several related program objectives.

Hearing Impaired: This category includes both deaf and hard of hearing persons. A deaf child has a hearing impairment which is so severe that he or she is impaired in processing linguistic information through hearing, with or without amplification, which adversely affects educational performance. Hard of hearing means a hearing impairment, whether permanent or fluctuating, which adversely affects the child's educational performance. Hard of hearing children have sufficient hearing to allow them to process information through the auditory channel.

Individualized Education Plan: A written plan outlining the special education and related services that are designed to meet the unique needs of each handicapped child. This individualized plan must be based on information provided by the Assessment Team and any other available diagnostic information relative to the child's educational needs.

Instructional Intervention: A procedure whereby a teacher implements specific teaching steps within the setting of a regular education program designed to assist a child in overcoming observed learning difficulties. The State Department of Education requires that each instructional intervention must be carefully documented, including a definition of the targeted problem, specific objectives of the intervention (including begin and end dates), evaluation criteria, the name and position of the person who performed the instructional intervention, and if the intervention failed, a discussion of why it failed.

Language/Speech Impaired: These children have a communication disorder, such as stuttering, impaired articulation, a language problem, or a voice impairment, which adversely affects a child's educational performance.

Level 1, 2, etc.: accreditation levels as defined by the State Department of Education. See Appendix N.

Mean: A central tendency descriptive statistic obtained by adding the scores for all subjects together and dividing the total by the number of subjects in the group.

Measures of Central Tendency: A type of statistic that describes or summarizes a group's performance in terms of where the scores tend to be concentrated.

Minimum Standards: Those standards which depict sound educational practices that support the basic educational program.

Mission: The primary purpose or reason for the existence of an organization.

Multi-Handicapped: A child who has a combination of disabilities which causes such a severe educational problem that the child cannot be accommodated in a special education program designed solely for one of the disabilities. This term does not include deaf/blind children.

Objective: A specific, measurable statement of intent which is related to the goal of a program. The components of a measurable objective are: an active verb, a program indicator, a quantifier, and a time frame.

Operationalize: A process or method of quantifying each goal or objective by including in the statement the number of actions to be achieved in a given time frame. The presence of operationalized goals and objectives provides an organization with the opportunity to measure its achievement and monitor its performance.

Performance Level: The performance-based accreditation level which provides an overall reflection of the extent to which a district has met the performance standards.

Performance Standards: Standards which establish outcomes which are multiple measures that represent the desired attainment of Mississippi school districts.

Physically Handicapped: Children whose orthopedic or other health impairments adversely affect their educational performance. The child who makes normal progress without special education, even though he or she has one of the disabilities defined in the State Department of Education manual under the term physically handicapped is not ruled physically handicapped.

Programs for Students with Disabilities:

- *Self- Contained*--A program in which the majority of the students in the program are not resourced (see next definition). The minimum number of students served in this setting is five and the maximum is fourteen, except in the case of severely handicapped students, where the maximum is ten or twelve with one full time aide and fourteen with two full time aides.

- *Resourced*-The majority of the students in the program are involved daily with nonhandicapped peers in two or more classes, at least one of which is academic. The minimum number of students that may be served in a resource program is eight and the maximum is

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eighteen. Teachers who serve language/speech handicapped students may serve a minimum of twenty five and a maximum of sixty students.

- ***Home-Based***--Children ages three and/or four receive instructional services from an itinerant teacher who comes to the child's home. The teacher also provides parent training to assist in the child's instruction. The minimum caseload for an itinerant teacher serving children through the home-based approach is ten while the maximum is sixteen

- ***Community-Based***--Children ages three and/or four are served in a community setting due to parent's placement of their child in such a setting. The minimum caseload for this type of program is ten while the maximum is sixteen.

- ***School-Based Full and Half-Day for three- and four-year-olds***--In this program, the children travel to school for the purpose of receiving special education services.

- ***Home/Hospital***: for children who, because of severe handicapping conditions or chronic illnesses are unable to attend school with any regularity. Any child in this program must have an eligibility ruling for a specific handicapping condition. The minimum number of children served in this type of class is five and the maximum is eight.

- ***Vocational Preparation***: for handicapped children who are fourteen and fifteen years old and who may be eligible for placement in a local school district's vocational training program.

- ***Audiology***: Provides special education and related services needed to help handicapped children with hearing impairments. In most cases, the audiologist serves in an itinerant capacity. The minimum number of students in an audiology program is twenty and the maximum is fifty.

- ***Coordinated***: School districts may combine efforts to provide classes for handicapped students to allow more flexibility in the development of programs for these students.

Regular Education: Instructional programs provided for students excluding programs for special, gifted, and vocational education.

School District: An administrative unit that is under the supervision of a designated school board which directs the operations and activities of schools and /or educational programs under its jurisdiction .

Special Education: Instruction individually designed to meet the unique needs of children who cannot function socially, emotionally, and/or educationally in a *regular education* classroom and who meet the State Department of Education's criteria for disabled. Disabled students fall into one of the following ten sub-categories: *deaf/blind*, *developmentally delayed* (ages 3-5 only), *educationally handicapped* (mentally retarded), *emotionally handicapped*, *hearing impaired*, *language/speech impaired*, *multi-handicapped*, *physically handicapped*, *specific learning disabled*, or *visually impaired*. The terms "exceptional children" and "special education" include both gifted and handicapped children.

Specific Learning Disabled: A child who has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps; mental retardation; emotional disturbance; or environmental, cultural or economic disadvantage. A child may be determined to have a specific learning disability if he or she does not achieve commensurate with his or her age and ability levels and the student has a severe discrepancy between achievement and intellectual ability in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematics calculation, or mathematics reasoning.

Standards: Criteria by which schools are assessed.

Standard Deviation: A measure of the extent to which scores in distribution, on the average, deviate from their mean. Thus, one step in the calculation of the standard deviation is to subtract the mean from each score. The resulting deviation scores are then squared and entered into a formula to yield the standard deviation.

Variance: A measure of variability which is the mean of the squared deviations about the mean. Variance is calculated by taking the sum of squared differences between each number and the mean divided by the total number of numbers.

Visually Impaired: A child who has a visual impairment which even with correction adversely affects his or her educational performance. Visually impaired children are classified in one of the following ways: blind (so little vision that they must use Braille as their reading medium), partially sighted (can use regular or large print as their reading medium), legally blind (visual acuity of 20/200 or less in the better eye after correction and/or a peripheral field so contracted that the widest diameter subtends an arc no greater than 20 degrees), or other severe visual problems.

MISSISSIPPI

STATE BOARD OF EDUCATION

Suite 501 Sillers Office Building • P. O. Box 771 • Jackson, Mississippi 39205-0771

February 14, 1992

Dr. Kathleen Sullivan
Methodologist
Mississippi Legislature
Joint Committee on Performance, Evaluation, and Expenditure Review
PEER Committee
222 N. President Street
Jackson, Mississippi 39201

Dear Dr. Sullivan:

The State Board of Education wishes to express sincere appreciation for the courtesies extended: the telephone call to the Board Chairman, Sunday, February 9; providing the Chairman a draft copy of the executive summary, February 10; and providing Board members copies of the summary and conducting an exit briefing of the report for Board members and State Superintendent of Education, Wednesday, February 12. Thank you so very much.

The PEER staff report, "A Review of the State Department of Education's Internal Management and Operations and Oversight of District and Student Performance," initiated May 20, 1990, and completed during the first week of February 1992 is an extensive, comprehensive study. We applaud your effort and commend you for your dedication to your task. Such a study is deserving of a more in-depth response than we can possibly provide within the time frame allotted to us.

There are areas within the report (which the State Superintendent will address in his response to you) that we feel need to be redefined or clarified; however, the State Board concurs with many of the report's recommendations to us. Prior to receiving the executive summary, the Board had already begun to move in similar directions.

Since its inception, the State Board of Education has taken seriously its responsibility to improve the quality of education in Mississippi. We are not a "perfect" body, but we are committed to the task presented to us. We welcome and will carefully study any constructive criticism received from any responsible source.

Again, thank you for the courtesy extended to us Wednesday afternoon. Through mutual trust and respect, we can work together to improve the quality of education for all of the children of Mississippi. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Lucimarian Roberts

Lucimarian Roberts, Chairman
State Board of Education

LR/jb

MISSISSIPPI
STATE DEPARTMENT OF EDUCATION

Richard L. Thompson, Ed.D., State Superintendent of Education
Suite 501 Sillers Office Building • P. O. Box 771 • Jackson, MS 39205-0771 • (601) 359-3513

February 14, 1992

Mr. John Turcotte
Executive Director
Legislative PEER Committee
P. O. Box 1204
Jackson, MS 39215-1204

Dear Mr. Turcotte:

Thank you for the opportunities you have given my staff and me during this week of February 10, 1992, to review the Executive Summary and the draft PEER staff report on the State Department of Education. I am also appreciative of the time your staff provided for us to share our concerns with them; they listened and were responsive to the information we provided to them.

Your staff was very professional and has extended us every courtesy. However, in preparing our response, we have been severely hampered by the fact that the report is long and detailed (the result of more than a year and a half of work by the PEER staff) and we have only had five working days in which to prepare our response. We understand the time limitations; however, the quality of our response has been affected because of this limitation. Therefore, we have focused our attention on major concerns and may have missed other items that should have been identified as inaccuracies.

Our review of your recommendations reveals that we are in agreement with many of them and that some have been already researched by staff and are under consideration by the State Board of Education and/or Legislature. My staff and I will continue to provide leadership, service and accountability as we work daily with local school districts and the State

Board of Education to improve the educational system in Mississippi. We appreciate your very indepth review of our operation; I assure you that we will consider every finding and the accompanying supportive data as we continue to be accountable to the many publics whom we serve.

As indicated in the February 14 letter from Mrs. Lucimarian Roberts, State Board of Education chairman, our response to the PEER report findings are included in the attached document entitled "State Superintendent of Education's Response to the February 1992 PEER staff Report on the State Department of Education."

Thank you for your courtesy and help you have provided us during this past week. I believe that together we can make a difference. Toward that end, I request your support as we move forward to improve educational programs for Mississippi's boys and girls.

Very truly yours,

Richard L. Thompson

Richard L. Thompson
State Superintendent of Education

RLT/sb

STATE SUPERINTENDENT OF EDUCATION'S RESPONSE TO THE FEBRUARY 1992 PEER STAFF REPORT ON THE STATE DEPARTMENT OF EDUCATION

I. SYSTEMWIDE EVALUATION AND PLANNING

FINDING: While the Board of Education superficially complies with Mississippi law requiring the annual publication of a five-year plan, the Department of Education does not comply with the intent of the law that this plan be a true working plan. Such a plan should be based on broad input, should govern program operations, and should set forth measurable, outcome-based goals and objectives for maximizing strengths and addressing shortcomings in education at the state and local levels.

A. EVALUATION AND PLANNING MANDATES

B. DEFICIENCIES IN THE BOARD'S PLANNING PROCESS

1. The board has failed to integrate a plan for accomplishing national education goals into the state's five-year plan.
2. The board's planning process lacks an effective feedback mechanism to provide the board and SDE management with essential information to improve current programs and to serve as a basis for developing new initiatives.
3. The Department of Education does not ensure that districts develop true working five-year plans or that they incorporate state goals and objectives into these plans.
4. The Department of Education's five-year plan includes only limited use of measurable objectives.
5. The five-year plan does not rank objectives in priority order.
6. The Department of Education has assigned less than 5% of its staff to organizational units devoted to improving regular academic instruction, even though its five-year plan is intended to promote "educational improvement".

RESPONSE:

The State Board of Education has begun the process of integrating the National Education Goals into the five-year plan. The goals have been linked to the EDUCATIONAL EMPHASIS AREAS. However, the department recognizes that considerably more integration is needed.

The planning process employed by the Office of Research, Planning, Policy and Development does solicit input/feedback from the various bureaus and divisions within the SDE. However, greater feedback is needed and encouraged among and between personnel in each division and unit regarding soliciting individual input from the various division and units.

In the narrative section that expounds upon the above finding, a section reads, "...The SDE plans only measurable objectives were, by the department's own statement, not to be viewed as objectives in themselves for which any organizational unit should be held accountable." This year's plan (1991-1995) initiated an effort to assign each appropriate unit responsibility for specific objectives.

The SDE agrees that additional staff resources are needed in the regular academic instructional area. Both the current FY'93 Budget Request already filed and the restructuring plan currently under consideration and study by the SBE addresses this staffing shortage area. The SDE does point out however, that approximately 9% of state positions for which the SDE could possibly target toward this area are currently assigned (not the 5% referenced in the PEER report). The SDE does not have the authority to reassign vocational, most federal or certain state funded positions to this area of need.

II. SPENDING PRIORITIES AND CONTROLS

A. Department of Education Administrative Budgeting

FINDING: The Board of Education has not fully complied with statutory mandates on budgeting because it has not based its budgeting on an effective five-year plan and it has not documented and adopted a central budget policy. Also, the Department of Education has not based its budgeting on its actual functioning programs.

1. The department does not budget on the basis of the five-year plan.
2. The department has weaknesses in its systems and procedures required in order to base budgeting on the five-year plan.

RESPONSE:

While the department concurs that improvements are needed to better coordinate the five-year plan process and the budgetary process, the state appropriation and legislative budget requirements and State Accounting System would require major changes in order to structure department budgets along a true programmatic system. The State Board of Education and department as early as 1985, realized the need for such changes and requested major changes in the education appropriations. In 1985, the SDE had as many as 16 separate appropriations. It is important to understand that the Legislative Budget Office procedures require each separate appropriation have a separate budget request package and separate accounting of funds as if each appropriation is a separate agency.

In 1986, the State Board of Education requested that the department have a consolidated budget which would be the first step in allowing flexibility to budget more on a true programmatic system. The State Department of Education has been successful in decreasing the number of separate appropriations from 16 to the current 6.

In 1988, the State Department of Education volunteered to be a pilot agency in the program budgeting project coordinated by the Fiscal Management Board and the Joint Legislative Budget Committee. Numerous staff discussions took place with FMB, LBO and SDE staffs trying to determine the most appropriate program definitions. For example:

- Do we define as a program the Minimum Foundation Program which includes the state's basic support for regular classroom teachers, special education teachers, vocational teachers, transportation, etc. and include the state's administrative expense for this program,

  or, do we combine all state supported and federally supported activities for programs such as the exceptional children programs which would include:

  - Educable Child Program (currently included in the General Education appropriation)
  - Learning Resource Centers (currently included in the General Education appropriation)
  - Special Education Teacher Cost (currently included in the Minimum Program appropriation)
  - Various Federal Grants to assist handicapped students (currently included in the General Education appropriation)
  - SDE Administrative Support for exceptional chldren (currently included in the General Education appropriation)
  - Transportation for exceptional children (currently included in the Minimum Program appropriation)

The current program definitions represent a concensus between Finance and Administration, LBO, and SDE staff and what we felt Appropriations Committees preferred.

The SDE also volunteered as a pilot agency under the Statewide Automated Accounting System (SAAS) and has continually requested and worked with the SAAS staff in the Department of Finance and Administration to provide "roll-up" capability across separately appropriated budgets. The SDE has, in fact, on occasions assigned data processing staff to the Department of Finance and Administration to actually program budget management reports that should be provided by SAAS. This "roll-up" capability has just recently become available in February 1992.

While continued improvement in the SAAS will allow more flexibility in managing budgets and changes in the manner in which programs are appropriated would allow the SDE to better manage its resources on both a organizational and major program function, THE SDE BUDGET SYSTEM IS FULLY ACCOUNTABLE AND MAINTAINS BUDGETS AS THEY ARE CURRENTLY APPROPRIATED AND AS PROGRAMS ARE CURRENTLY DEFINED. The SDE would prefer to base its budgeting on its actual functioning programs; however, the Legislature has in the past preferred that appropriations be organized more toward specific programs as they are authorized by specific legislation such as the Educable Child program, Learning Resource Centers, Minimum Program, etc.

B. School Finance Programs

FINDING: Of the three methods for determining the size of the student population, the average daily attendance method, which is the approach used by Mississippi and eleven other states, is the most complex in its recordkeeping and reporting requirements.

Of the two methods for allocating funds (the direct pupil unit method and the teacher unit method), Mississippi uses the less precise teacher unit method.

1. The teacher unit method for determining local need affords less precision in directing funds to districts on the basis of student need than does the direct pupil unit method.

2. The weighted pupil method for directing resources to specific student populations has gained wider acceptance among the states in recent years.

RESPONSE:

The department uses the methods required by law to implement the Minimum Program allocation of teacher units. PEER's opinion as to the best method for allocation of state education dollars is just one of many. The weighted pupil method recommended by PEER may be more precise than the current method of allocating state education dollars, however, it is true that costs for special populations have increased in other states after implementing the weighted pupil method. After all, the weights for most special education students are greater than 1.0; therefore, those students are still counted more than once since they are receiving services by more than one teacher and/or the pupil-teacher ratio for special education is smaller than in the regular classroom. It should also be made clear that keeping up with all students on a period by period basis requires more paperwork and is more complicated than the current process; such a process would require a costly student computer data base. Furthermore, monitoring children on a period-by-period basis will be more costly.

Over the past 20 years, there have been numerous finance studies, but no major changes have been made in the Minimum Program, except to add equity funding. Legislators are fully aware of the interpretations the department has made relative to how to implement the various components of the Minimum Program. At this point, no suggestions have been made for the department to change those interpretations. The department stands ready to work with the Legislature and PEER to improve the process for distributing state funds for education.

C. Administration of Minimum Program

FINDING:

1. Mississippi's system of public school finance is sufficiently detailed in its requirement for keeping track of student attendance and using attendance figures to compute regular education teacher units. However, Minimum Program provisions regarding funding for the special education and vocational education programs lack any such detail.

RESPONSE:

Section 37-19-1(b) defines a "teacher" as "...any full-time employee of a school board of a school district who is required by law to obtain a teacher's license from the State Board of Education and who is assigned to an instructional area of work as defined by the State Department of Education the equivalent of a minimum of three (3) normal periods per school day, and shall include a teacher holding a provisional certificate." NOTE: The State Department of Education has explicit authority to define an instructional area. Section 37-19-7 clearly authorizes teachers to be paid in accordance with the Minimum Education Program salary schedule based on the professional training of each teacher and that the salary allotment for each teacher each year shall be determined by the type valid teacher's certificate issued to such teacher. No where in the Minimum Education program code section is any reference made to funding "basic academic core" teachers. There is no definition of "basic academic core". Art, Music, Health and P.E. teachers are clearly defined as instructional areas of work and these teachers are appropriately certified in the area they teach. To conclude these teachers are not fundable through the Minimum Education Program is not based on fact. Section 37-19-21 does require that $200.00 of the supportive service allotment must be used for salaries of teachers of Business Education, Health and Physical Education, Music and/or Art, Librarians or Guidance Personnel, who are not otherwise included in the allotment of funds for teachers' salaries. Through the reporting of personnel data, the State Department of Education determined that each school district expended the $200.00 requirement on teachers in these categories and excluded those teachers from otherwise being funded as regular ADA teacher units. To conclude this section of the code excludes "all" of these teachers employed at the local school district has no legal merit. There is no legal opinion that supports the PEER Committee's conclusion. All appropriation education and appropriation commmittees in the Legislature have been fully informed on the department's interpretation from and after passage of this provision. To date, there has been no legislative action to redirect the department's interpretation, nor has an audit report revealed any problem with the interpretation. The Superintendent's Annual Report to the Legislature does report the cost by type of teacher units funded in regular ADA and in Special Education and Vocational Education. The State Department of Education has always been very responsible and deliberate to provide any Legislator or Legislative Committee with all additional information regarding the funding of teacher units. To imply otherwise is inaccurate.

C. Administration of Minimum Program (continued)

FINDING:

2. The current method for counting vocational, special, and regular education students for purposes of generating teacher units, though permitted by statute, is very imprecise for those students receiving services from more than one of these major instructional programs. This imprecision results in a distorted picture of teaching resources needed in each of these instructional programs and results also in a lack of legislative control over the types of teachers and services personnel supported through Minimum Program teacher unit funds.

RESPONSE:

The process described in the Minimum Program requires double serving, not double counting. Nowhere in the Minimum Program code sections (37-19-1 through 37-19-53) is there any reference to "the percentage of time the student spends in each program" counting for funding purposes. Section 37-19-5(2) and 37-19-5(3) clearly authorizes the funding of Vocational Education and Special Education programs as additional services. Section 37-19-5(1) sets forth how the ADA teachers are to be calculated by the department. Section 37-19-5(2) clearly authorizes an additional 1/2 teacher unit "shall be added" to the teacher units as determined in 37-19-5(1) for each Vocational teacher employed in a Vocational Education program approved by the State Department of Education. Furthermore, Section 37-19-5(3) clearly authorizes one additional teacher unit "shall be added" to the teacher unit allotment as determined in 37-19-5(1) for each teacher employed in State Department of Education approved programs for exceptional children. Note that Vocational Education and Special Education teacher unit funding is based on program and not on the attendance of students. It is unquestionably clear that the Legislature fully authorizes Vocational and Special Education programs to be funded in addition to the regular ADA teacher units and the SDE is granted complete authority to approve these programs. No reference is made to prorating either the regular ADA teacher unit, the 1/2 Vocational Education teacher unit or the Special Education teacher unit based on the number of hours a student spends in a Vocational or Special Education program. To conclude otherwise is not based on fact. Section 37-19-5(3) does provide that exceptional students enrolled in a self-contained class, as defined by the State Department of Education, shall not be counted in average daily attendance when determining the regular ADA teacher unit. The department has a clearly written definition of "self-contained" and appropriate coding has been provided to the local school district to report ADA on self-contained students apart from other ADA. ADA of self-contained students is not used in calculating regular ADA teacher units. To be cited for "double counting instead of prorating each student's time in each program" is not consistent with legal authority. To imply that a "distorted picture of teaching resources needed in each of these instructional programs" is not accurate. Throughout the entire budgeting process -- from initial budget request to the final defending before appropriation committees -- the Legislature is thoroughly informed about the needs and cost in each of the instructional programs. The Superintendent's Annual Report clearly delineates the actual cost of each funding element of the Minimum Education program. The conclusion that the Legislature has no control over the funding of the types of teacher units supported through Minimum Program is questionable.

C. Administration of Minimum Program (continued)

3. Under the current system, one student may count as two or more pupil units.

RESPONSE:

The negative conclusion regarding the "overlap in counting students -- to generate additional resources" reached by PEER is not accurate. Computations were made as if there were one large school district and without taking into consideration such things as scheduling and services offered to "resourced special education" students. Section 37-19-5(1) clearly limits the number of students enrolled in kindergarten and grades 1, 2, 3, and 4 to no more than 27 students at any time during the school term without State Board of Education approval. Furthermore, accreditation standards limit the number of students for grades 5-12. A teacher unit is funded on 24 students in attendance --- not enrolled. If ADA is 94% of attendance, then a typical class with 27 enrolled will only have 25 students in ADA. Furthermore, moving a student out of a classroom of 27 during a part of the day to receive additional program services does not reduce the need or cost of the regular classroom teacher. Students are not moved to and from programs in neat 27 student increments. These students move from a regular teacher's classroom and return to that classroom. No other student can be assigned to that student's desk while he/she is out. As stated earlier, it is unquestionably clear that these programs such as non self-contained exceptional programs, gifted, and vocational are intended to be in addition to regular classroom instruction. Moving students will not reduce the need for regular classroom teachers.

C. Administration of Minimum Program (continued)

FINDING:

4. The budgetary consequences of the current method of counting students in multiple programs are significant.

RESPONSE:

PEER staff used questionable methodology in calculating the 2,933 "additional" regular teacher units at a cost of $81.4 million. To aggregate statewide totals of students receiving additional program services and calculate cost estimates is misleading and inaccurate. Even if you subscribe to the PEER conclusion of "double counting", the fiscal impact would have to be calculated on a school-by-school, district-by-district basis to determine if moving students to and from regular classroom had any effect on the number of regular teachers required to be employed. Two examples are provided to show the inaccuracy of the PEER calculations. There were over 22,000 language/speech handicapped children included in the 74,800 students used in the PEER example. These students report only go from the regular class to the speech therapist 2-3 times per week for 20-30 minutes each time. It is clear that their removal from the regular classroom for this 90 minutes per week will not allow any additional students to be served in that regular class. This same thing happens with most of the 15,716 gifted students. They go to the gifted teacher an average of 5 hours per week. One other error in the PEER calculation should be mentioned. The 74,800 student count is an enrollment figure, not ADA. Use of enrollment further inflates an already questionable figure. To even vaguely imply that the department caused $81.4 million to be misappropriated is misleading and inaccurate. Add-on programs are expensive, but very important.

C. Administration of Minimum Program (continued)

FINDING:

5. Districts use teacher unit funding produced by overlap in pupil counting to support non-academic and supplementary staff.

RESPONSE:

Once the number of regular ADA teacher units earned is determined, the State Department of Education is mandated to fund the teachers of highest training and number of years experience [as authorized in Section 37-19-5(1)] who are assigned to an instructional area of work as defined by the State Department of Education a minimum of three periods per school day [as authorized in Section 37-19-1(b)]. There is no legal mandate to classify teachers into "basic academic core" and "non-academic and supplementary staff"; a conclusion reached by PEER staff. The law clearly authorizes the funding of an Art teacher, for example, if that teacher has a higher level of certification and greater number of years teaching experience than a regular third grade self-contained classroom teacher. It must be noted that in doing this, one of the ADA teacher units is used up. No additional unit is funded because the district has employed an Art teacher. Because Librarians and Counselors are defined as instructional areas of work and appropriate certification is required as all other teachers, the system does allow these work areas to be funded, if the Librarian and/or Counselor has a higher level of certification and greater number years of experience than "classroom" teachers. Again, no additional teacher units are generated. This procedure is clearly authorized. To imply misappropriation of resources is not supported by legal authority. The appropriate legislative committees have been informed of this procedure for many years. To date, there has been no legislative authority or audit finding to substantiate the PEER staff's conclusion.

It should also be noted that PEER's computation of the 11% leeway was done based on enrollment figures, not ADA. Regular teacher units are computed on ADA, not enrollment; therefore, the conclusion that a district could use maximum enrollment to generate 11% additional teacher units for "non-academic" teacher is inaccurate.

D. Special Education Pupil Counting

FINDING:

1. The State Department of Education counts some students more than once toward special education teacher units.

RESPONSE:

There is an unduplicated count of special education students. However, it would be inappropriate to use that count to prohibit a district from counting a mentally retarded (MR) student in both the MR and the language/speech (L/S) classes if that student also has a L/S handicap. Federal law requires that such a student be provided both services and it is incumbent upon the state to provide that service.

D. Special Education Student Counting (continued)

FINDING:

2. The State Department of Education does not base its teacher unit calculations on actual time spent by students in the special education classroom.

RESPONSE:

The department follows state law in making special education teacher unit computations. PEER failed to point out that the special education allocation of special education units is modeled after the process for allocation of regular ADA teacher units. In the regular education process, a minimum allocation is assured from the previous fiscal year with increases allowed if the second and third month ADA reports are greater than the previous year figures; no decrease occurs if there is a reduction in ADA during the current year. The special education allocation is based on a February count and can be increased prior to October of the following year. However, if the special education population has decreased following the February count, there can be NO increase in special education units.

D. Special Education Pupil Counting (continued)

FINDING:

3. The State Department of Education bases its teacher unit allocation on a one-time student count, amended for additional students but not for student deletions.

RESPONSE:

See also the preceding paragraph. Once the February count is used to issue a special education teacher unit allocation to the district, there can be no reduction in that allocation except in cases where a district being monitored does not have data to back up the February count. Since state law requires the district to notify each teacher as to whether his/her contract will be continued by April 8 each year, it is an ABSOLUTE NECESSITY that a district knows by that date how many teacher units they will have for the next year. Therefore, the special education teacher unit process is legal and logical. If there are reductions in the special education population during the current fiscal year, that reduction always catches up with the district during the next fiscal year.

D. Special Education Pupil Counting (continued)

FINDING:

4. The State Department of Education does not adequately audit the number of special education students which districts report to the department.

RESPONSE:

The department is not authorized to audit ADA reporting. Section 37-37-3 of the Mississippi Code of 1972 clearly assigns this responsibility to the State Department of Audit. The department does support and work with the State Department of Audit and imposes the audit charge back penalty when notified of problems by Audit staff. Also, the department staff provides annual staff training for Audit staff and department Special Services staff. Prior to the PEER review, department staff members were already cross referencing the self-contained ADA report with the data received in the special education office and in fact, reported one major inconsistency to the Department of Audit in 1991; that investigation is ongoing by the Department of Audit.

The full blown special education monitoring process does occur only once every five years, but a follow-up visit does occur at least once during that five year period. PEER suggested that implementation of Step #171 in the monitoring process is not performed thoroughly at each school; that is correct since the data is collected and documented at the district level in accordance with department directions. To monitor more often and to complete the internal/external audit checks suggested by PEER would require completion of the computerization of internal special education records and additional staff. During the past four years, much headway has been made in computerization of records; that will be completed within the next year. Acquisition of additional staff is not currently feasible.

D. Special Education Pupil Counting (continued)

FINDING:

5. The SDE has not adequately controlled the classification of special education students as resourced special education, a category for which SDE and the Minimum Program law permits double-counting with regular education.

RESPONSE:

There are no records that indicate that there was a definition by the department that allowed "special education children who had no regular academic instruction to be counted as resourced". In fact, that definition does describe a self-contained child today. Even if there had been such a definition prior to March of 1978, it would have had no effect on the funding of special education teacher units (except for the 1977-78 session) since the statute language allowing resourced special education students to be counted in ADA was not passed until the 1977 Legislative session.

The department is determined to review and require districts to correct any inappropriate counting of self-contained special education students.

E. Special Education Funding

FINDING:

1. The State Department of Education could have more tightly controlled Minimum Program special education teacher unit expenditures during the decade of the 1980's.

RESPONSE:

Mississippi's special education population did grow at a faster rate than the national rate during the 1980's. PEER specifically pointed out the growth of the learning disabled and language/speech groups; however, when reporting the percent growth, they did not show

how the percent of students in these two categories compared with the national incidence rates in 1980. A review of that data would have shown that the percent of Mississippi students identified as learning disabled and language/speech handicapped was at a considerably lower percentage than the nation at that time. Therefore, reporting of the large growth in percentages is misleading; when you have a long way to go, percent of growth is necessarily large.

It should also be pointed out that few states have spent the past thirteen years implementing a massive consent decree relating to their special education program. When a state is "catching up" trying to overcome past problems, growth rates are expected to be greater than the national averages.

E. Special Education Funding (continued)

FINDING:

2. States have discretion over criteria which they use to qualify students for special education.

RESPONSE:

There is some discretion over the definitions of the different handicapping conditions. The current definition of learning disabilities was significantly influenced by the plaintiffs in Mattie T as well as the "friends of the court group". Plans are underway to recommend some changes in this definition within the next six months. It should be noted that when the department was given the opportunity to define the developmentally delayed (three through five year olds) group, they defined it in such a manner as to significantly reduce the population that was being served prior to this first year of implementation. When doing this, care must be taken to ensure that students who are handicapped do not "fall in the crack".

E. Special Education Funding (continued)

FINDINGS:

3. The State Board of Education has discretion in the development of special education student/teacher ratios.

4. The State Department of Education's process of allocation special education teacher units involves a significant amount of subjective judgment which could result in favoritism in applying the ratios between districts.

RESPONSE:

While there is some subjective judgement used in approving special education teacher units, that judgement is used to make sure that handicapped children have appropriate educational programs and in most cases to save the state money. For example, would PEER prefer that the department refuse to provide a teacher unit for 4 seriously emotionally handicapped children (regulations require five students to get a teacher unit) and cause the district to have to place those four students in an out-of-district placement at a cost per student of $70,000-100,000 or more per year?

To say that the department has confused the allocation process is a misstatement; one could say that it has been made very logically and realistically.

E. Special Education Funding (continued)

FINDING:

5. Mississippi has high special education teacher/student ratios compared to the southeastern average and to the State Department of Education's stated ratios.

RESPONSE:

Yes, Mississippi's special education teacher-student ratios are somewhat high compared to the southeastern average. However, as reported by PEER, there are relatively fewer special education teacher aides in Mississippi. Therefore, if PEER had computed and reported the adult-student ratio in Mississippi as compared to the southeastern average, that picture would have been very different. In Mississippi, there are 631 teachers per 10,000 students and 118 teacher aides per 10,000 students. That combines for a total of 749 adults per 10,000 students in Mississippi as compared to 910 adults per 10,000 students in the southeastern average. The major reason for the smaller number of teacher aides in Mississippi is that there are no state funds for teacher aides.

PEER made no comparison of the student-teacher ratios used by other states and Mississippi (i.e. the minimum/maximum classroom sizes allowed). A review of those data shows that there is very little difference among states. Therefore, it is clear that Mississippi's teacher/student ratios are impacted by such things as not having many teacher aides and the small district enrollments, rather than the actual student/teacher ratios for each type of special education program.

F. Vocational Funding

FINDINGS:

1. Neither the Minimum Program law nor the State Board of Education places sufficient controls on the funding of vocational education teacher units to prevent low-priority vocational programs from receiving state Minimum Program teacher unit funds As a result, the State Board of Education has permitted local school districts and community colleges to use at least $1.1 million in state funds for low-priority vocational programs in FY 1992. In addition, neither the Board nor the Department can demonstrate that all other local programs receiving state vocational funds meet objective criteria that ensure that only programs of the highest priority receive state vocational funds.

2. There is no student/teacher ratio or any other objective criterion for generating vocational teacher units.

3. Board and department procedures are ineffective in limiting teacher unit generation for vocational and technical education.

RESPONSE:

The State Board of Education and the State Department of Education will consider PEER findings and recommendations as we continue to review the Vocational delivery system.

F. Vocational Education Funding (continued)

FINDING:

4. The Department of Education violates the Minimum Program law by using existing, non-instructional vocational counselor positions to generate vocational teacher units, thereby increasing the number of vocational teacher units to which districts are entitled. This practice has cost the state a total of approximately $3.4 million in Minimum Program salary and fringe benefit funds over the past three years (FY 1988 through FY 1992).

RESPONSE:

The policy and practice cited have been in effect as early as 1976 (which is as far back as we have records). However, the assumption that there was wrong-doing in classifying and reimbursing vocational education counselors is misleading because, in our opinion, they provide direct instructional support to vocational students daily. We will seek an attorney general's opinion to this issue and will abide by his ruling.

F. Vocational Education Funding (continued)

FINDING:

5. The Department of Education does not audit performance data it collects for use in deciding whether to continue supporting local vocational education programs.

6. The Board of Education's inadequate controls over teacher unit generation have resulted in extremely low enrollment in some local programs, as well as generally high per-student expenditures.

RESPONSE:

The State Board of Education and State Department of Education will consider PEER findings and recommendations as we continue to review the Vocational delivery system.

G. Administration of Vocational Education Appropriation

During fiscal years 1989 through 1991, SDE received $10 million in state vocational education funds in excess of the amount required to qualify for federal vocational education funds under the Carl Perkins Act. This $10 million excess includes a $1.8 million FY 1991 deficit appropriation during a fiscal year when the department's appropriation already exceeded the amount needed to qualify for federal funds by $3 million.

FINDINGS:

1. Between FY 1988 and FY 1991, the Department of Education did not include all state-appropriated vocational education expenditures in calculating maintenance of effort.

2. Between FY 1989 and FY 1991, the State Department of Education did not use the method of calculating maintenance of effort which would result in the lower state appropriation.

RESPONSE:

It would be great if the state could each year review the "maintenance of effort" requirement after the year is completed (as PEER staff was able to) actual expenditures and enrollments are available and then choose the more economical method in computing the required state dollars. However, the state must project prior to the end of the year expenditures and/or enrollments to insure the continued receipt of federal vocational funds. The SDE has, in the past felt that the department could more effectively manage expenditures than enrollments in programs. We have found that in years past, enrollments do not necessarily increase or decrease according to funding levels.

The SDE feels that if the state were to depend on a deficit appropriation being made in March or April with the required expenditure of such funds by June, that while this approach would insure "maintenance of effort", it certainly could impede program planning and efficient use of state resources.

III. SCHOOL AND DISTRICT EVALUATION

A. Statewide Testing Program

Throughout this section, PEER has referenced "students who pass BSAP"; such references and conclusions drawn from such are inappropriate since no pass/fail criteria have been established for individual students. PEER also incorrectly interpreted the "80 % correct" information in the accreditation regulations (Bulletin 171). PEER stated that "the Mississippi Commission on School Accreditation selected '80% correct' as the mastery standard for BSAP and FLE." That is not true. That section of Bulletin 171 refers to the establishment of the long-term minimums for the assigning of a Level 3 accreditation status. If the mean score on the BSAP and FLE for a district is at the 80 % correct or better, then that district has met the long-term minimum. That has been defined as the minimally acceptable level of accreditation and is constantly being reviewed based on the need to raise it.

1. Reporting of Performance Data

FINDING:

a. The State Department of Education's analysis and use of student performance data is limited. Current SDE performance reports provide little support to the public in attempts to assess the quality of education of a particular school or school district and to hold districts accountable for improving the quality of education in the state.

RESPONSE:

Department staff does report the statewide test results to the State Board of Education each year and the trends are discussed. As objectives are being proposed for the Five-year Plan, department staff does have access to and uses the test results in making their recommendations for inclusion in the Plan.

The department does release a profile for each district each year. That profile does include test data and other information which is helpful in getting a general picture of the quality of the district's educational program. In addition, the Commission on School Accreditation assigns and publicizes an accreditation status for each school district each year. That accreditation status is based on the district's compliance with a series of process and performance (tests results) standards as defined in State Board of Education policy. Not only is each district assigned a status, any district that is placed on probation because of noncompliance with all process or performance standards, must develop and submit an improvement plan to the Commission. Department staff members are assigned to work directly with these districts in assessment of their problems and development, as well as implementation, of their improvement plan. Progress towards implementation of that improvement plan must be reported to the Commission each year and modifications made if improvement is not occurring.

In fact, local patrons do have information about the quality of their local school district program and districts are required to make improvements in the program. If that does not occur, the Commission and the State Board of Education now has the authority via the conservatorship to request a state of emergency be declared by the Governor and force improvements to occur in a district. The conservatorship has been a top priority for the State Board of Education for the past five years. Only because of the Board's continued efforts to get that legislation passed does it now have that authority.

The department does include the Stanford Achievement Test (grades 4, 6, and 8) in its assignment of performance status to local districts. Therefore, the performance-based accreditation system does include a comparison of Mississippi students with the rest of the United States.

A. Statewide Testing Program (continued)

1. Reporting of Performance Data

FINDING:

b. State reporting of student performance on the Basic Skills Assessment Program and the Functional Literacy Examination is invalid for the performance concepts that underlie these criterion-referenced tests.

RESPONSE:

Section 37-16-1 of the Mississippi Code of 1972 states that the "primary purpose of the statewide testing program is to provide information needed for state-level decisions." The existing program and the reports for that program are valid for that purpose and based on sound practice. The department's manner of reporting Basic Skills Assessment Program (BSAP) data is not invalid nor misleading. There are other ways to report such data and those suggested by PEER will be reviewed.

The BSAP was designed to provide group level data that could be used by the department to assign local school district accreditation status and by local school districts to assess the effectiveness of their instructional programs in terms of objectives included in Mississippi's curriculum structure. These tests were not designed to provide valid information about an individual student. Therefore, the assumption by PEER that the purpose of the BSAP "is to determine whether a student has mastered grade- and subject-specific knowledge and skills" is not correct. Furthermore, the mean score on the BSAP was chosen for use in the accreditation process because the mean of a test does have the mathematical attributes necessary for such use.

A. Statewide Testing Program (continued)

2. Accreditation of School Districts and Criterion-Referenced Testing

FINDINGS:

a. Performance levels established by the Department of Education for accreditation purposes are too low, permitting fully accredited districts to operate schools with significant numbers of students failing to meet the long-term minimum standards for basic skills or to perform at the expected grade equivalency level on normed tests.

RESPONSE:

The performance-based accreditation system is an evolving system. Standards which have been set by the State Board of Education are not written in stone and are evaluated each year. Neither the State Board of Education nor the Commission on School Accreditation has suggested that a Level 3 district is an excellent district; in fact, the description of such districts is that they meet minimum requirements for accreditation. Had the floating annual minimums for Levels 1, 2, and 3 been set at a higher level causing large numbers of districts to be identified, no useful purpose would have been served since there were not sufficient resources available in the department to help them. The intent of the department was to identify the districts with the most problems first and help them make changes that would improve services being provided to students. That has been accomplished. The State Board of Education has directed staff to review the current standards and recommend changes. That is being done. PEER's assessment will be used.

Use of an 80% mastery criteria to indicate what percent of students did not pass the BSAP is appropriate. However, since setting the mastery at 80% has not been through a standard setting process for the individual student (could be too high or low), the conclusions drawn by PEER about the percentage of students in Level 3 districts who did not "pass" one or more of the content area tests is not supported by reliable data.

Most of the minimum values being used by the Commission on School Accreditation do not fall short of the long-term minimums; in fact, all scores except the following met or exceeded the long-term minimums during 1989-90: BSAP Grade 8 Reading and Mathematics.

A. Statewide Testing Program (continued)

3. Student Performance and Criterion-Reference Testing

As stated at the beginning of this section and discussed at length with PEER staff, 80% correct was not a mastery criteria set for an individual student NOR was there any intent to use BSAP scores to set individual mastery for a student. In fact, if the department had set individual mastery for skills in the Mississippi curriculum structure, it would have violated Section 37-3-49(2)(d) of the Mississippi Code of 1972. That section clearly requires that "standards for student performance must be established for each core objective in the local program and those standards establish the district's definition of mastery for each objective."

Since the use of the PEER set standard of 80% correct for mastery on the BSAP is questionable, the conclusions drawn concerning BSAP in the three bullets for this section are suspect. It is true that some students in each school district in each grade that is tested on the BSAP do not do well. It is also true that some of the Level 3 schools have students who are not doing well.

FINDINGS:

a. By restricting its BSAP and FLE reporting to group means, the Department of Education obscures serious, systemwide performance problems.

b. The proportion of students maintaining acceptable levels of performance on basic skills tests shows a marked decline from grade three to grade eight.

c. Contrary to conventional wisdom, a large socioeconomically disadvantaged student population in a school is not necessarily associated with a large proportion of students failing to meet minimum basic skills standards.

RESPONSE:

PEER also used an 80% failure rate to draw conclusions about students who have taken the FLE. The FLE was designed to test mastery for the individual and the State Board of Education has defined that mastery; a formal standard setting process was used to define mastery. Therefore,the PEER assumption of 80% correct as mastery criteria is inappropriate and the PEER conclusion that "the failure rate of 26% produced by this analysis was far removed from the 5% failure rate the department reported for FLE in 1991" is not accurate. While one can question whether the standard setting group should have set the standard higher, it is incorrect to suggest that the department is obscuring systemwide performance problems.

As stated earlier, the mean of a test does have the mathematical attributes necessary for use in reporting data on both the FLE and BSAP.

B. School Accreditation

FINDINGS:

1. Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

   a. Mississippi law affords the State Board of Education sufficient authority to develop a performance-based accreditation system that includes all of the key elements needed to ensure full accountability on the part of local school districts.

B. School Accreditation

FINDINGS:

1. Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

   b. In developing the legally mandated system of accountability, the Accreditation Commission, the Board of Education, and the Department of Education have complied with the letter of the law while consistently avoiding positions that would require fully objective reviews and high levels of achievement on the part of all schools.

      (1) The Board of Education has not established long-term minimum performance standards that hold all school accountable for high levels of students performance.

RESPONSE:

While there is always room for improvement, PEER's suggestion that the "current accreditation process does not yield the accountability information the process is intended to provide" is not accurate. Furthermore, the list of performance elements listed by PEER from Section 37-17-6 of the Mississippi Code of 1972 was deleted from the Code during the 1991 Legislative Session, thus giving the State Board of Education more flexibility in defining said elements. One must walk before one can run. This old adage is very important in understanding how this process is evolving. The department, State Board of Education and the Commission on School Accreditation have focused their attention on the school districts with the most difficult problems as a beginning, a starting point. With the limited resources available, little more could have been done. There has been no attempt to sidestep the tough problems nor to give the impression that high expectations are unimportant. Consistent modification and refinement of the system will provide better data for the citizens, the local district personnel, and the state entities responsible for education. It will also result in constant pressure for improvement in the statewide educational system.

B. School Accreditation

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FINDING:

(2) Instead of strengthening the validity of the accreditation site visit process and the individual teacher certification process, the Board of Education has sharply reduced the number of site visits planned for the 1991-92 school year.

RESPONSE:

The reason that the number of accreditation site visits was reduced for 1991-92 is clearly not related to pressure from outside. The request came from within as a response to the fact that the first five-year cycle of accreditation visits had been completed and it was time to take a hard look at the results of those visits and determine how to best accomplish the continuing reviews of local school district programs. This evaluation has resulted in a recommendation from staff to do random visits and use department staff to accomplish them; this is expected to be less costly as well as to eliminate another PEER concern of objectivity in selecting local district evaluators.

PEER's concludes that "the procedure currently used for evaluating on-the-job performance of provisional teachers is not valid because the evaluation --- is conducted entirely by district personnel." It should be pointed out that district personnel have routinely successfully defended personnel actions in court based only on staff evaluation information gathered by district personnel. While outside evaluators would strengthen the process, the process is not rendered invalid because there are no external evaluators. If the resources are made available to allow the use of external evaluators, the department has no problem with reinstating this requirement.

B. School Accreditation

1. Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

   b. In developing the legally mandated system of accountability, the Accreditation Commission, the Board of Education, and the Department of Education have complied with the letter of the law while consistently avoiding positions that would require fully objective reviews and high levels of achievement on the part of all schools.

FINDING:

(4) The Department of Education has not developed a system for selecting evaluators that would afford full objectivity in the site visit process.

RESPONSE:

Selection of and training of a cadre of external evaluators who had no relation to anyone in another Mississippi district and assuring their objectivity would be very difficult. The current process uses site visit instruments that gather objective data and inter-rater reliability has been built into the process. This is a more realistic way to ensure objectivity.

FINDING:

(5) State Board of Education has not developed a policy that would restrict the "distinguished achievement district" and "model district" designation to those districts with consistently high levels of performance or high levels of improvement in all schools.

RESPONSE:

The work done on Levels 4 and 5 by the Commission on School Accreditation and the State Board of Education continues to be reviewed; where changes are needed, they will be made.

B. School Accreditation

1. Mississippi's current accreditation process does not yield the accountability information the process is intended to provide.

   b. In developing the legally mandated system of accountability, the Accreditation Commission, the Board of Education, and the Department of Education have complied with the letter of the law while consistently avoiding positions that would require fully objective reviews and high levels of achievement on the part of all schools.

FINDING:

(7) As a result of recent Board of Education actions, the board will begin basing certain accreditation decisions almost exclusively on a limited system of outcome measures without developing a valid, comprehensive system for measuring student performance and other system outcomes.

RESPONSE:

Although the State Board of Education did drop the grade 8 BSAP, the Stanford is still given in the eighth grade. Therefore, there will be assessment data to determine whether there is improvement in the eighth grade. It should be noted that the decision to cut back on these tests and the subject matter tests for high school was a direct result of the legislative cut of the Reform Act budget by roughly 28%, not action which could be controlled by the State Board of Education. The remaining test data will allow district performance to be adequately measured.

B. School Accreditation

FINDING:

1. Mississippi's current accreditation process does not yield the accountability information the process is intended to provide

   (c) The Superintendent and the State Board of Education have discussed their intent to measure higher-order thinking skills and to adopt more authentic measures, but no valid tests of those types currently are in place and there has been no corresponding build-up of testing staff.

RESPONSE:

A special committee has been appointed by the State Superintendent to review the whole statewide testing program. The PEER information will be provided to this committee. As soon as the committee makes its recommendations, they will be considered by the State Board of Education. This is the normal process used by the State Board of Education to review major programs; for example, the certification process was reviewed last year and proposed changes are being made.

III. School and District Evaluation

C. A Comprehensive Evaluation System

FINDING:

1. Mississippi's state-mandated evaluation system currently is limited to student assessment at state and local levels. These assessments are used for purposes of accountability, but are of limited use to teachers and administrators seeking to improve their schools.

RESPONSE:

In addition to student assessment each year and process reviews conducted every five years, the department also receives (via the Personnel Report) information on many process standards each year. The department agrees with the PEER staff that formative evaluation within each district is essential to program improvement. To that end, the State Board of Education requires a district five-year plan and has an accreditation standard (C80) which requires each district to complete a yearly evaluation of the instructional program and to make needed changes to ensure that weaknesses are corrected. Furthermore, the School Executive Management Institute has training modules on effective use of test results as well as effective development of a five-year plan. Level 1 and 2 districts are provided assistance by department staff to complete an internal evaluation and develop an improvement plan based on that evaluation plus other data. That improvement plan is reviewed each year and updated, again based on external and internal evaluation data. The department is committed to continuation of these activities and will, as additional resources are made available, strengthen its work with districts in this area.

IV. Structural Problems

FINDINGS:

A. Vocational Education

1. Mississippi has no policymaking/oversight authority for vocational and technical education.

   The State Department of Education's statutory control over community and junior college vocational funding is incompatible with the Legislature's intent that the community and junior colleges "be the presumptive deliverers of public post-secondary training...under federal and state vocational and technical acts (Miss. Code Ann. Section 37-4-1)."

   a. The Department of Education's control over state and federal vocational funds is consistent with Miss. Code Ann. Section 37-31-7 which authorizes the Department to administer "funds provided by the state and federal governments for the promotion of vocational and technical education not terminating in a bachelor's degree."

   b. In complying with the state's original vocational education legislation, the Department of Education exercises such fiscal and programmatic control over the delivery of postsecondary training that the community colleges cannot assume their role as the "presumptive deliverers" of postsecondary vocational training.

B. Adult Literacy

1. Centralization of literacy policy-making by the Department of Education has been impeded by the practice of assigning federal funding to the Department of Economic and Community Development, by establishment of a literacy policy-making office outside the Department of Education, and by inaction on the part of the Board of Education.

RESPONSE:

In December 1991, the State Board of Education began studying a restructuring plan for the State Department of Education that includes governance issues relative to the delivery of vocational programs. The State Board in January initiated a request for legislative consideration to clarify the state law in regard to the State Board of Education and State Department of Education's responsibilities for vocational programs currently under the auspices of the State Board of Education.

However, the State Board of Education is continuing to study the governance issues relative to secondary vs. postsecondary delivery structures. The State Board of Education will consider PEER's recommendation as it reviews further options and will fully abide by any legislative changes.

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